# 138722 (115 Court Street)

Date/Eastern Time	Changed By	Change		
2/3/2011 2:31:00 PM	Julie Everett (Office Staff)	New Listing (\$177,000)		
2/3/2011 2:41:00 PM	NavicaMLS	Photo for Main View Processed		
2/4/2011 9:46:00 AM	Julie Everett (Office Staff)	Misc. Change		
2/10/2011 3:32:00 PM	Julie Everett (Office Staff)	Misc. Change		
9/1/2011 3:38:00 PM	Julie Everett (Office Staff)	Misc. Change		
2/4/2012 1:48:00 AM	NavicaMLS	Expired by system		

# Navica MLS

Page 1 of 1

MLS #: R138722X (Expired) List Price: \$177,000

115 Court Street City of Plattsburgh, NY 12901



STYLE: Victorian # STORIES: 3+ Story **BEDROOMS:** 6 **FULL BATHS: 4** HALF BATHS: 1 YEAR BUILT: 1897 UNIT LOCATION: None/Residential APX TOTAL SQFT: 3983 FIN ABOVE GRADE SQFT: 3983 FIN BELOW GRADE SQFT: 0 # FIREPLACES: 2 **GARAGE/CARPORT:** 2 Car Garage SEASONAL PROPERTY:

AREA: City of Plattsburgh COUNTY: Clinton TOWN: City/Plattsbrgh SUBDIVISION: NOT APPLICABLE SCHOOL DISTRICT: PLATTSBURGH WATERFRONT: No **WATERFRONT FOOTAGE: BODY OF WATER: None** WATERFRONT INFO: None

ASSESSORS PARCEL/TAX MAP #: 207, 19-5-18 **VOLUME:** x

LAND TAX \$: \$4118 TOTAL TAXES \$: \$9500 PAGE: x INSTRUMENT: 193166

SCHOOL TAX S: \$5382 **EXEMPTIONS:** 

**VILLAGE TAX S:** 

ASSESSED VALUE: \$252000 **DEED DATE: 4/5/2006** 

APA: SPECIAL ASSESSMENTS:

DOCUMENTS/EXEMPTIONS: Deed, Lead Paint

LOT DIMENSIONS: 134x111 ROAD/LOT DESCRIPTION: Paved

APX ACREAGE: 0.318 ZONING: Residential

Foyer Living Room, Dining Room, Kitchen, Utility/Laundry	LvI 1 1 1	Dim/Desc 20x13 18x13 22.5x12	Floor Wood Wood Wood	Master Bedroom Bedroom 2 Bedroom 3 Bath Bed 4	LvI: 2 2 2 2	Dim/Desc 18x13 13x12 16x13	Floor: Wood Wood Wood
	Bed 53 Den 1	22.5x11 13x13.5	Wood		-	10412	******

**EXTERIOR:** Wood ROOF: Slate

BASEMENT/FOUNDATION: Exterior Entrance, Full, Stone

WATER HEATER: Electric **HEATING:** Electric Hot Water A/C/COOLING: None ELECTRIC: 200 Amps

WATER/SEWER/GAS: Public Water, Public Sewer

WATER/SEWER: **GREEN FEATURES:** 

DIRECTIONS: West on Court St., Corner of William & Court.

VIEWS: Residential

INTERIOR FEATURES/WINDOWS: Fireplace, Single Pane

FIREPLACE: Living Room, Family Room

APPLIANCES: Refrigerator

EXTERIOR FEATURES: Paved Drive, Porch, Porch-Covered

**ASSOCIATION FEES:** HOA INCL/AMENITIES:

REMARKS: (Bedroom 6- Lev 3 -12x11 Wood Floor) This Victorian older home needs lots of TLC but will make someone very happy to fix-up & enjoy. Must see to appreciate the detailed original woodwork throughout.

AGENT REMARKS: Being sold as is No Electric or water - bring flashlight for showings .\*\* Single family only, in historic district

OWNER'S FULL LEGAL NAME: Saundra Green

<u>Print</u> Close

# 115 CT ST PLATTSBURGH, NY 12901

From: noel.beemer@wellsfargo.com

Sent: Thu 2/19/15 8:40 AM

To: adirondackregionaltheatre@hotmail.com

Cc: schwartzrealtor@aol.com

Congratulations! Your organization, Adirondack Regional Theatre, Inc., has been approved to participate in the Wells Fargo REO Community Development Community & Urban Stabilization Program (CUSP). Please respond to this email to confirm that you are accepting the property located at 115 CT ST, PLATTSBURGH, NY 12901 with a seller concession of \$55,000 and to let us know how your organization's name should appear on the title.

If you have any questions feel free to contact me. Again, congratulations and welcome to the program.

Thank you!

# Noel Beemer

Alternative Disposition Asset Manager 2 - Community Development Wells Fargo

Wells Fargo Home Mortgage | 800 Jordan Creek Parkway | West Des Moines, IA 50328 MAC X2301-049 515-324-2517

noel.beemer@wellsfargo.com

The Wells Fargo REO Community Development Team fosters relationships with key stakeholders to revitalize neighborhoods through innovative solutions and responsible property management.

Property of Wells Fargo, this e-mail contains information that is not public knowledge and should only be used for internal corporate purposes.

Disclosure of this information to anyone outside of Wells Fargo & Company is a violation of Wells Fargo's Code of Ethics and may be in violation of federal and state law.

Print

Close

# Expense part 2

From: SCHWARTZREALTOR@aol.com

Sent: Tue 6/02/15 4:55 AM

To: adirondackregionaltheatre@hotmail.com

7775, 7780, 9887, 9907 are the photos for the current expense just approved for \$5880 to remove the old dead trees and mow and trim the yard.

After 1,2, 3 and Prior 1,2,3 are proof that the \$7900 was a Wells Fargo expense

0981 proof of break in 5/9/2015 cost to Wells Fargo \$318

snow/MLD bill to City \$1,657.45

9890 proof that we were not legally allowed in until I received a letter from the City.

I will send you the email bill proof for \$1657.45 and they mailed the bill directly to Wells Fargo.

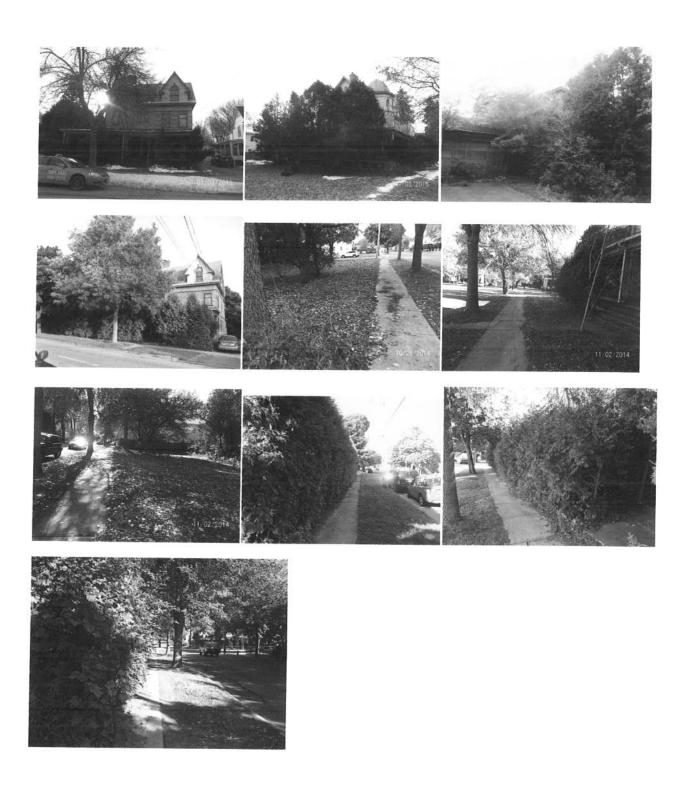
I will send you the letter allowing us in.

I will type a list of all of these expenses plus others that are monthly holding costs along with the taxes.

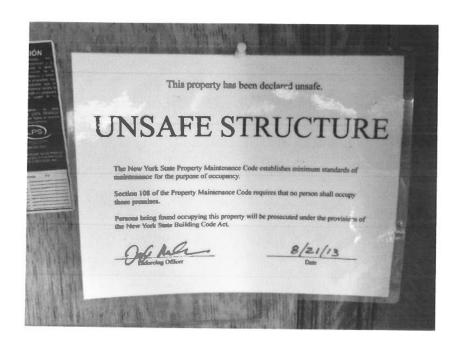
.Marilyn Schwartz, Broker/Owner, Welcome Home Realty – 39 Hammond Lane, Plattsburgh, NY 12901, 518-563-2031 Member of the Clinton County Board of Realtors, NYSAR, NAR PLEASE SUPPORT THE MARCH OF DIMES

To make a donation, visit my personal Web page at http://www.marchforbabies.org/KALLISMIM

1 of 1



Photos of the expense of \$5880 for the removal of old dead tress and to mow and trim the lawn





proof of Break in 5/9/15 Cost to Wells Fargo \$318

FW: 115 Court Street Page 1 of 1

From: Burdo, Kyle <burdok@cityofplattsburgh-ny.gov>

To: SCHWARTZREALTOR < SCHWARTZREALTOR@aol.com>

Subject: FW: 115 Court Street

Date: Tue, Oct 14, 2014 2:25 pm

Marilyn,

Here is the response I received from the City Chamberlain's Office. Hope this works for you.

Kyle

From: Garcia, Carole S.

Sent: Tuesday, October 14, 2014 11:53 AM

To: Burdo, Kyle

Subject: 115 Court Street

Kyle

The only thing I can see outstanding on 115 Court Street is an unpaid MLD Utility bill and administrative cost \$1,657.45. Taxes are paid. No extra DPW bill etc that I can see.

Let me know if you need anything else.

Carole

Carole S. Garcia

Deputy City Chamberlain

City of Plattsburgh

6 Miller Street

Plattsburgh, NY 12901

518-563-7704 (T)

518-563-1714 (F)

# LAND APPRAISAL REPORT

	14-500	
File No.	18784976	

_			LA	NU APPR	AISAL KI	EPUI	<b>KI</b>	File N	0. 18/849/6	)		
	Borrower SAUNDRA GREEN	1		Census Tract	1013.00			Map Referenc	e 207.19-5-	18		
S	Property Address 115 COUR	RT STREET										
U	City PLATTSBURGH		County C	LINTON			State NY	Zip Code	12901			
В	Legal Description 2006 INST	RUMENT #193166	County _									
J	Sale Price \$ N/A			Lasa Tasa		D-1	perty Rights Appra	60	Lanabald	□ p-	841-1-1	- DUD
E		_ Date of Sale N		Loan Term _		Pio	Other sales con		Leasenoid		MAIIMI	SPUD
ç	Actual Real Estate Taxes \$		.) Loan charges			- N. O.T.			NO 00000			
T	Lender/Client WELLS FARG	O RVS LAND	brico (side con				REET, FLOOR 9TH		NC 28282			
-	Occupant NONE			HOLLY L. CH		Instr	uctions to Apprais			F.1.	-	
	Location	Urban	K Suburb	===		Emplo	on and Ctabillity	G	ood Avg.	Fair	Po	or T
1	Built Up	X Over 75%	25% to	75% 💹 Und	der 25%		vment Stability		X		T	í
	Growth Rate	ev. Rapid	<b></b> Steady	Slo	w		nience to Employn	7			-	-
N	Property Values	Increasing	X Stable	☐ Dec	dining		nience to Shoppin	7	×			-
E	Demand/ Supply	☐ Shortage	🗶 In Balar	nce Ove	or Supply	Conve	nience to Schools		X			
ī	Marketing Time		os. K 4-6 Mos		or 6 Mos.	Adequ	acy to Public Tran	sportation	X		L	
G	Present 60 % 1 Family 40				- March	Recrea	ational Facilities	[	X			
Н	Land Use	-		Condo 76	Commercial	Adequ	acy of Utilities		×			1
В		% Vacant		П=-		and the same of th	ty Compatibility		×		Г	1
0	Change in Present Land Use	★ Not Likely		18F	dng Place(*)		tion from Detrimen	tal Conditions	X		T	1
R		From	<u>To</u>			117	and Fire Protection		X		T	1
H	Predominant Occupancy	C Owner		ıt	14						-	1
00	Single Family Price Range	150 to \$	_280 Pred	ominant Value :	250	Genera	al Appearance of F	Properties				
ŏ	Single Family Age	100 yrs. to 200 y	rs. Predomin	ant Age 150	yrs,	Appeal	lo Market		X			
_	Comments including those fac	tors, favorable or u	nfavorable, affecti	no marketability	(e.g. public	parks.	schools, view, nois	se)				
	THE SUBJECT IS LOCATED NEIGHBORHOOD CONSISTS	S OF SINGLE FAM	LY HOMES AND	2-4 UNITS.								-
	Dimensions 110.5 x 134 x 11	U.U X 134	-						Con			
	Zoning Classification RESIDE				Pres	ent Imp	rovements	Do Do	Not Conform	ı lo Zon	ing Re	ulations
	High and Best Use	Present Use	Other (spec	city)								
		r (Describe)	OFF-SITE II	MPROVEMENT	Topo	L	EVEL					
	Elec.		Str. Address		1500000	_	VERAGE		11-2-12-			
8	Gas NON	E	Surface PAVED		Shap		RECTANGULAR					
T	Water X		Maintenance 3	Public Tie	Private View	F	RESIDENTIAL			VIII:		
Ė	San. Sewer 🗶		Storm Sewe				DEQUATE					
	Under	ground Elec. & Tel.	<b>★</b> Sidewalk				aled in a HUD ide	ntified Special Flo	od Hazard A	lres?	□vas	W No
	Comments (favorable or unfav								/OU FIBERIU /	0007		
	The undersigned has recited the description includes a dollar ad item in the comparable propert significant in the comparable is	ljustment, reflecting y is superior to, or r inferior to or less f	market reaction to nore favorable the avorable than the	to those items of an subject prop subject propert	of significant of erty, a minus by, a plus (+)	variation (-) adju adjustm	n between the sub ustment is made, ti gent is made, thus	ject and compara hus reducing the increasing the in	ble propertie indicated val dicated value	ue of the	significa e subje subject	ct, if a
M	ITEM	SUBJE	CT	COMP	ARABLE NO	.1	COMPAR	ABLE NO. 2	CC	MPAR	ABLE N	O. 3
R	Address	115 COURT STE	REET	Lot #4 Maine	Rd (233.8-3-	4)	Louisiana Ave. (	233.8-3-34)	3 ADAMS	DRIVE		
K		PLATTSBURGH		PLATTSBURG	3H, NY 1290	1	PLATTSBURGH	I, NY 12901	PLATTSB	URGH,	NY 12	901
E	Proximity to subject			1.58 miles SE			1.87 miles SE		1.96 miles N	w		
Т	Sales Price	\$ 0			\$	32500		\$ 26000		1	\$	27000
_	Price \$/Sq. Ft.	\$ 0			\$ 32500			\$ 26000		25.53	\$ 2700	0
D	Data Source	PUB RECORDS		Nvca mls/Pub	Rec (434 do	m)	Assessor (DOM	unknown)	Assessor (	DOM u	nknowr	1)
A	Date of Sale and	DESCR	IPTION	DESCRIPTIO	N +(-) Adjus	tment	DESCRIPTION	+(-) Adjustment	DESCRIP	TION	+(-) Ad	ustment
À	Time Adjustment	N/A		07/09/2014		0	03/20/2014	0				C
_	Location	RES/AVG		RES/EQUAL		0	RES/EQUAL	0	RES/EQU	AL		0
A	Site/View	.33 ACRES		28 ACRES		0	.37 ACRES	0				0
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ALYSI	Sales or Financing Concessions Net Adj. (Total) Indicated Value of Subject Comments on Market Data THE THREE SALES TRANSFI Comments and Conditions of A ALL THREE SALES SOLD AS Final Reconciliation * OVERFLOW - SEE *ADDITIONAL CONCESSIONAL	PUBLIC WATER PUBLIC SEWER DRIVEWAY NONE KNOWN  ERRED AS VACAN  ppraisal VACANT LAND A	ND ALL THREE A	PUBLIC WATE PUBLIC SEWE NONE NONE KNOWN  X +	\$ \$	0 0 +500 0 0 500 33000	PUBLIC WATER PUBLIC SEWER NONE NONE NONE NONE	0 0 +500 0 0 \$ 500 \$ 26500	PUBLIC WAR PUBLIC S DRIVEWAR NONE NONE	VATER EWER	\$	2
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	State Certification # 45000014		State NY						State			
	or State License # NY		State NY		or State Licer				State			
-	VI SABIO ELVOTIOS P 111		- Care 141						-Francis -			

14-500

# ADDITIONAL FIELD TEXT

Вогго	wer/Client SAUNDRA GREEN								
Ргоре	rty Address 115 COURT STREET								
City	PLATTSBURGH	County	CLINTON	State	NY	Zip Code	12901		
Lende									

FINAL RECONCILIATION
THE SUBJECT IS LOCATED IN AN AREA OF SINGLE FAMILY HOMES. THE INCOME AND COST APPROACH WERE NO USED. THE SALES
COMPARISON APPROACH IS THE BEST INDICATOR OF THE OPINION OF MARKET VALUE OF THE SUBJECT INDICATING A VALUE OF \$33,000.

14-500

### TEXT ADDENDUM

File# 18784976

Borrower/Client SAUNDRA GREEN							
Property Address 115 COURT STREET							
City PLATTSBURGH	County	CLINTON	State	NY	Zip Code	12901	
Lender		OLIN I OIL					

Beginning Addendum
AT THE REQUEST OF THE CLIENT, WE HAVE COMPLETED A VACANT LAND APPRAISAL OF THE SUBJECT PROPERTY.

Copies of uspap are on file within the REARU and are available upon request.

A complete market analysis was not made, the scope of the investigation was an inspection of the subject property.

The intended user of this appraisal report is the lender/client. The intended use is to evaluate the property that is the subject of this appraisal for market value, subject to the stated scope of work, purpose of the appraisal report form, and definition of market value. No additional intended users are identified by

The three comps each transferred once within the past 12 months. Transfer dates are noted in the sales comparison grid.

All three comps are located over one mile from the subject, but were used due to a lack of vacant land sales closer in proximity.

All three comps sold over 90 days ago, but were used due to a lack of more recent sales in the subject market area. They still support the opinion of market value as the market has been stable for the past 12 months.

The appraiser used digital signatures, according to USPAP, a signature may be represented as hand written or digital.

The three comps used support the opinion of market value. There have been very few vacant land sales in the subject market area. The estimated exposure time is 3-6 months, similar to the neighborhood marketing time.

I HAVE PERFORMED NO PRIOR SERVICES, AS AN APPRAISER OR IN ANY OTHER CAPACITY, REGARDING THE PROPERTY THAT IS THE SUBJECT OF THIS REPORT WITHIN THE THREE-YEAR PERIOD IMMEDIATELY PRECEDING THE ACCEPTANCE OF THIS ASSIGNMENT.

Estimated exposure time is 3-6 months, similar to the neighborhood marketing time.

The subject was appraised as vacant land only, as per lender's request. The structure visible on the property has been condemned by the City of Plattsburgh and is unsafe. The lender has request a cost to cure for demolition. See "Condition of Appraisal comments"

### REVISION -

No record of the subject being listed "for sale" within the past 12 months, Navica MLS, public records.

Days on market for sold comps 2 and 3 are not available as neither were listed in the local MLS.

The subject is located in a neighborhood that was developed during the 1800's. It is centrally located in the City of Plattsburgh where vacant lots are at a minimal. This is not a distressed area as Plattsburgh State University is located nearby as well as several other amenities including the Clinton County Court House. There is minimal new construction with very few foreclosurers and short sales. Property values have remained stable for the past 12 months.

All three closed sales are arms-length transfers, no REO or short sales were used.

No record of the subject transferring over the past 26 months. Information obtained through public records.

## SCOPE OF WORK -

An exterior inspection of the subject property was performed. The front and right side were inspected by the appraiser. The rear and right side were inaccessible due to excessive brush and trees. The attached aerial map provides a good view of the entire property and an indicator that the only structure on the property is the house.

## Comments on Sales Comparison

All three comps support the opinion of market value as all three sold as vacant land. The most weight was given to comp #1 as this property is the most recent sale. All three comps are located in the City of Plattsburgh as is the subject.

Condition of Appraisal Comments
The appraisal is made "as is" as vacant land with the dwelling to be demolished. The appraisal is made invoking the extraordinary assumption land is clear from any environmental issues. SHOULD THERE BE ENVIRONMENTAL ISSUES, THE ESTIMATED COST TO CURE COULD BE SIGNIFICANTLY INCREASED. Due to the subject's structure being large, and over 100 years old, with possible asbestos and lead base paint, I recommend that this property be inspected by a profession in the demolition field. The estimated value stated in this report may need to be revised in accordance with those professional estimates and reports. I am not a profession cost estimator or demolition expert; but a Residential Appraiser and unable to evaluate the inclusive demolition costs needed for this property.

The cost to demolish dwelling is estimated at \$50,000.

\*\*\*CONTINUED ON NEXT PAGE\*\*\*

14-500

# TEXT ADDENDUM

File # 18784976

	,			LIE # 1010-1910
Borrower/Client SAUNDRA GREEN				
Property Address 115 COURT STREET				
City PLATTSBURGH	County CLINTON	State NY	Zip Code 12901	
Lender				

data: Appraiser: Title NYS CERTIFIED APPRAISER

Form data: Appraiser: Inspection Date 10/14/2014

Form data: Appraiser: Expiration Date 03/26/2015

	SUPPLE	MENTAL REAL ESTATE OW	NED APPRAISAL ADDE	NDUM	FHA CASE 14-500
					File No.: 18784976
Property Address 115 COUR	TSTREET	City	PLATTSBURGH	State NY	
Legal Description 2006 INST				County	
Is the subject property currently Listing Company/Address/Phon		o Current List Price \$		Agent	
COMPETING LISTINGS					
ITEM	SUBJECT	LISTING #1	LIS	STING #2	LISTING #3
Address 115	COURT STREET	Lot 29 MAINE ROAD	48 WATERHO	USE ST.	31 KENNEDY STREET
	TTSBURGH	PLATTSBURGH NY 1		H NY 12901	PLATTSBURGH NY 12901
Proximity to Sub. / Location		1.67 miles SE	0.70 miles SE		1.09 miles SW
Original List Price  Current List Price	N/A N/A	35000 35000	47000 47000		50000
Last Price Revision Date	N/A	N/A	N/A		N/A
Days-on-Market	N/A	202	183		26
Site/View	.33 ACRES/RES	.18 ACRES/RES	.86 ACRES/RE	S	.25 ACRES/RES
Design (Style)	N/A	N/A	N/A		N/A
Age	N/A N/A	N/A	N/A		N/A
Condition  Above Grade Room Count	Tot: 0 Bdms: 0 Ba: 0	N/A Tol: 0 Bdrms: 0 Ba:	0 Tot: 0 Bdrm	s: 0 Ba: 0	N/A Tol: 0 Bdrms: 0 Ba: 0
Approx. Gross Living Area	0 sq.ft	0	sq.ft 0		O sq.ft
Basement Area	N/A	N/A	. N/A		N/A
Car Storage	N/A	N/A	N/A		N/A
Other (special / financing	NONE	NONE	NONE		NONE
concessions,amenites,etc.)	KNOWN	KNOWN	KNOWN		KNOWN
	- , ,				appeal, deferred maintenance, utility,
	•	***	d, marketing times, sale-to	>list price ratios, REO	and newconstruction activity, and other
lactors associated with, and/or	influenced by, current listings in t	ne subject neighborhood.			
l					
0.650000000				specifically the subject	t property. Discuss current economic
trends – employment, increasin	g/decreasing property values, su	pply and demand, and/or sea	sonal marketing factors.		
Provide an itemized list of repal	rs recommended to bring the pro	perty into marketable condition	n. Cost estimates should t	oe based on reliable pu	blished cost sources and/or local cost
				ded. Repair costs and	opinions reported herein are subject to
future revision based on new re	pair estimates and evaluations by	y a licensed building contracto	r.		
REPAIR ITEM					ESTIMATED COST
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					_ \$
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TOTAL ESTIMATED COST OF	RECOMMENDED REPAIRS				\$
		environmental, etc.). Provide	an explanation why the in	spection is recommend	\$s  ded, and comment on the effect on
List any recommended inspection			,	spection is recommend	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
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Or State License # NY

Or State License #

14-500 File # 18784976

**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\* Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

### STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

- 1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
- 2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
- 3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
- 4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
- 5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
- 6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
- 7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
- 8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
- 9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
- 10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.

14-500 File # 18784978

# APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

- 1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
- 2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
- 3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
- 4. I have no present or prospective interest in the property that is the subject to this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
- 5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
- 6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
- 7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
- 8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that
  I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
- 9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

SUPERVISORY APPRAISER'S CERTIFICATION: If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

ADDRESS OF PROPERTY APPRAISED: 115 COURT STREET	PLATTSBURGH NY 12901
APPRAISER! Ly L. Chuse	SUPERVISORY APPRAISER (only if required)
Signature. J. Charles	Signature:
Name: HOLLY L. CHASE	Name:
Date Signed: 10/27/2014	Date Signed:
State Certification #: 45000014035	State Certification #:
or State License #: NY	or State License #:
State: NY	State:
Expiration Date of Certification or License: 03/26/2015	Expiration Date of Certification or License:
	Did Did Not Inspect Property

# LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that Deutsche Bank National Trust Company, a national banking association organized and existing under the laws of the United States, and having its usual place of business at 1761 East St. Andrew Place, Santa Ana, California, 92705, as Trustee (the "Trustee") pursuant to those certain Pooling and Servicing Agreements referenced on Exhibit A (the "Agreements") hereby constitutes and appoints the Servicer, by and through the Servicer's officers, the Trustee's true and lawful Attorney-in-Fact, in the Trustee's name, place and stead and for the Trustee's benefit, in connection with all mortgage loans serviced by the Servicer pursuant to the Agreements solely for the purpose of performing such acts and executing such documents in the name of the Trustee necessary and appropriate to effectuate the following enumerated transactions in respect of any of the mortgages or deeds of trust (the "Mortgages" and the "Deeds of Trust" respectively) and promissory notes secured thereby (the "Mortgage Notes") for which the undersigned is acting as Trustee for various certificateholders (whether the undersigned is named therein as mortgagee or beneficiary or has become mortgagee by virtue of endorsement of the Mortgage Note secured by any such Mortgage or Deed of Trust) and for which Wells Fargo Bank, N.A is acting as the Servicer.

This Appointment shall apply only to the following enumerated transactions and nothing herein or in the Agreements shall be construed to the contrary:

- 1. The modification or re-recording of a Mortgage or Deed of Trust, where said modification or re-recording is solely for the purpose of correcting the Mortgage or Deed of Trust to conform same to the original intent of the parties thereto or to correct title errors discovered after such title insurance was issued; provided that (i) said modification or re-recording, in either instance, does not adversely affect the lien of the Mortgage or Deed of Trust as insured and (ii) otherwise conforms to the provisions of the Agreements.
- 2. The subordination of the lien of a Mortgage or Deed of Trust to an easement in favor of a public utility company of a government agency or unit with powers of eminent domain; this section shall include, without limitation, the execution of partial satisfactions/releases, partial reconveyances or the execution or requests to trustees to accomplish same.
- 3. The conveyance of the properties to the mortgage insurer, or the closing of the title to the property to be acquired as real estate owned, or conveyance of title to real estate owned.

- 4. The completion of loan assumption agreements.
- 5. The full satisfaction/release of a Mortgage or Deed of Trust or full conveyance upon payment and discharge of all sums secured thereby, including, without limitation, cancellation of the related Mortgage Note.
- 6. The assignment of any Mortgage or Deed of Trust and the related Mortgage Note, in connection with the repurchase of the mortgage loan secured and evidenced thereby.
- 7. The full assignment of a Mortgage or Deed of Trust upon payment and discharge of all sums secured thereby in conjunction with the refinancing thereof, including, without limitation, the assignment of the related Mortgage Note.
- 8. The full enforcement of and preservation of the Trustee's interests in the Mortgage Notes, Mortgages or Deeds of Trust, and in the proceeds thereof, by way of, including but not limited to, foreclosure, the taking of a deed in lieu of foreclosure, or the completion of judicial or non-judicial foreclosure or the termination, cancellation or rescission of any such foreclosure, the initiation, prosecution and completion of eviction actions or proceedings with respect to, or the termination, cancellation or rescission of any such eviction actions or proceedings, and the pursuit of title insurance, hazard insurance and claims in bankruptcy proceedings, including, without limitation, any and all of the following acts:
  - a. the substitution of trustee(s) serving under a Deed of Trust, in accordance with state law and the Deed of Trust;
  - b. the preparation and issuance of statements of breach or non-performance;
  - c. the preparation and filing of notices of default and/or notices of sale;
  - d. the cancellation/rescission of notices of default and/or notices of sale;
  - e. the taking of deed in lieu of foreclosure;
  - f. the filing, prosecution and defense of claims, and to appear on behalf of the Trustee, in bankruptcy cases affecting Mortgage Notes, Mortgages or Deeds of Trust;
  - g. the preparation and service of notices to quit and all other documents necessary to initiate, prosecute and complete eviction actions or proceedings;

- h. the tendering, filing, prosecution and defense, as applicable, of hazard insurance and title insurance claims, including but not limited to appearing on behalf of the Trustee in quiet title actions; and
- i. the preparation and execution of such other documents and performance of such other actions as may be necessary under the terms of the Mortgage, Deed of Trust or state law to expeditiously complete said transactions in paragraphs 8.a. through 8.h. above.
- 9. With respect to the sale of property acquired through a foreclosure or deed-in lieu of foreclosure, including, without limitation, the execution of the following documentation:
  - a. listing agreements;
  - b. purchase and sale agreements;
  - c. grant/warranty/quit claim deeds or any other deed causing the transfer of title of the property to a party contracted to purchase same;
  - d. escrow instructions; and
  - e. any and all documents necessary to effect the transfer of property.
- 10. The modification or amendment of escrow agreements established for repairs to the mortgaged property or reserves for replacement of personal property.

The undersigned gives said Attorney-in-Fact full power and authority to execute such instruments and to do and perform all and every act and thing necessary and proper to carry into effect the power or powers granted by or under this Limited Power of Attorney as fully as the undersigned might or could do, and hereby does ratify and confirm to all that said Attorney-in-Fact shall be effective as of <u>March 2, 2015.</u>

This appointment is to be construed and interpreted as a limited power of attorney. The enumeration of specific items, rights, acts or powers herein is not intended to, nor does it give rise to, and it is not to be construed as a general power of attorney.

Solely to the extent that the Servicer has the power to delegate its rights or obligations under the Agreements, the Servicer also has the power to delegate the authority given to it by Deutsche Bank National Trust Company, as Trustee, under this Limited Power of Attorney, for purposes of performing its obligations and duties by executing such additional powers of attorney in favor of its attorneys-in-fact as are necessary for such purpose. The Servicer's attorneys-in-fact shall have no greater authority than that held by the Servicer.

Nothing contained herein shall: (i) limit in any manner any indemnification provided to the Trustee under the Agreements, (ii) limit in any manner the rights and protections afforded the Trustee under the Agreements, or (iii) be construed to grant the Servicer the power to initiate or defend any suit, litigation or proceeding in the name of Deutsche Bank National Trust Company except as specifically provided for herein. If the Servicer receives any notice of suit, litigation or proceeding in the name of Deutsche Bank National Trust Company, then the Servicer shall promptly forward a copy of same to the Trustee.

This limited power of attorney is not intended to extend the powers granted to the Servicer under the Agreements or to allow the Servicer to take any action with respect to Mortgages, Deeds of Trust or Mortgage Notes not authorized by the Agreements.

The Servicer hereby agrees to indemnify and hold the Trustee and its directors, officers, employees and agents harmless from and against any and all liabilities, obligations, losses, damages, penalties, actions, judgments, suits, costs, expenses or disbursements of any kind or nature whatsoever incurred by reason or result of or in connection with the exercise by the Servicer, or its attorneys-in-fact, of the powers granted to it hereunder. The foregoing indemnity shall survive the termination of this Limited Power of Attorney and the Agreements or the earlier resignation or removal of the Trustee under the Agreements.

This Limited Power of Attorney is entered into and shall be governed by the laws of the State of New York, without regard to conflicts of law principles of such state.

Third parties without actual notice may rely upon the exercise of the power granted under this Limited Power of Attorney; and may be satisfied that this Limited Power of Attorney shall continue in full force and effect and has not been revoked unless an instrument of revocation has been made in writing by the undersigned.

IN WITNESS WHEREOF, Deutsche Bank National Trust Company, as Trustee for the affixed Agreements listed on Exhibit A has caused its corporate seal to be hereto affixed and these presents to be signed and acknowledged in its name and behalf by a duly elected and authorized signatory this 2nd day of March 2015.

Deutsche Bank National Trust Company, as Trustee under the Agreements

Gullet

Name: Karlene Benvenuto

Title: Assistant Vice President

Witness:

Witness:

Monique Kennedy

Prepared by:

Name: Jerome Jackson Title: Trust Administrator

Address:

Deutsche Bank National Trust Company

1761 E. Saint Andrew Place Santa Ana, CA 92705

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

# STATE OF CALIFORNIA COUNTY OF ORANGE

On March 2, 2015 before me, Melinda A. Pilcher a Notary Public, personally appeared Karlene Benvenuto, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed that same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. (SEAL)

MELINDA A. PILCHER
Commission # 2067159
Notary Public - California
Orange County
My Comm. Expires May 4, 2018

Signature of Notary Public

# **EXHIBIT A**

Morgan Stanley Mortgage Loan Trust 2005-5AR, Mortgage Pass-Through Certificates, Series 2005-5AR, pursuant to the Pooling and Servicing Agreement dated as of August 1, 2005 by and between Morgan Stanley Capital I Inc. as Depositor, Wells Fargo Bank, National Association as Master Servicer, Securities Administrator and Auction Administrator, and Deutsche Bank National Trust Company, as Trustee for Morgan Stanley Mortgage Loan Trust 2005-5AR, Mortgage Pass-Through Certificates, Series 2005-5AR.

Morgan Stanley ABS Capital I Inc. Trust 2006-WMC2, Mortgage Pass-Through Certificates, Series 2006-WMC2, pursuant to the Pooling and Servicing Agreement dated as of June 1, 2006 by and between Morgan Stanley ABS Capital I Inc. as Depositor, Wells Fargo Bank, National Association as Servicer, Securities Administrator and Custodian, WMC Mortgage Corp., as a Responsible Party and Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-WMC2, Mortgage Pass-Through Certificates, Series 2006-WMC2.

Morgan Stanley ABS Capital I Inc. Trust 2006-NC4, Mortgage Pass-Through Certificates, Series 2006-NC4, pursuant to the Pooling and Servicing Agreement dated as of June 1, 2006 by and between Morgan Stanley ABS Capital I Inc. as Depositor, Wells Fargo Bank, National Association as Servicer, Ocwen Loan Servicing, LLC as Successor Servicer to New Century Mortgage Corporation as a Servicer, NC Capital Corporation as a Responsible Party and Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2006-NC4, Mortgage Pass-Through Certificates, Series 2006-NC4.

Morgan Stanley ABS Capital I Inc. Trust 2006-HE4, Mortgage Pass-Through Certificates, Series 2006-HE4, pursuant to the Pooling and Servicing Agreement dated as of June 1, 2006 by and between Morgan Stanley ABS Capital I Inc. as Depositor, Wells Fargo Bank, National Association as a Servicer and as Custodian, NC Capital Corporation as a Responsible Party, WMC Mortgage Corp. as a Responsible Party, Decision One Mortgage Company, LLC as a Responsible Party, LaSalle Bank National Association as a Custodian and Deutsche Bank National Trust Company as Trustee for the Morgan Stanley ABS Capital I Inc. Trust 2006-HE4, Mortgage Pass-Through Certificates, Series 2006-HE4.

Morgan Stanley Home Equity Loan Trust 2007-1, Mortgage Pass-Through Certificates, Series 2007-1, pursuant to the Pooling and Servicing Agreement dated as of February 1, 2007 by and between Morgan Stanley ABS Capital I Inc., as Depositor, Wells Fargo Bank, National Association, as Servicer and Custodian, Saxon Mortgage Services, Inc., as Servicer, Countrywide Home Loans Servicing LP, as Servicer, First NLC Financial Services, LLC, as Responsible Party and Deutsche Bank National Trust Company, as Trustee for the Morgan Stanley Home Equity Loan Trust 2007-1, Mortgage Pass-Through Certificates, Series 2007-1.

Clinton, NY John H. Zurlo County Clerk 137 Margaret St
Ste 101
Plattsburgh, NY 129012966
Phone Number: (518)565-4700
Fax Number: (518)565-4718
E-Mail: John.Zurlo@clintoncountygov.com

Official Receipt: 2015-00006489 Printed on 04/23/2015 at 10:54:37 AM

Triffica on on zorzoro de totalion	
By: 54 on CCFEE2	
HOLCOMBE ABSTRACT	
Date Recorded: 04/23/2015	
Instrument ID Recorded Time	Amount
2015-00271216 10:52:00 AM	\$865.50
DEED - (RES-AGR)	
GREEN, SAUNDRA	
TO:DEUTSCHE BANK	,
Accounts	Amount
RETT/STATE	\$680.00
CROSS REFERENCE	<b>©0.50</b>
RECORDS MANAGEMENT/LAND/CO	\$0.25
CULTURAL ED/LAND/CO	\$0.75
TP584/COUNTY	\$5.00
RECURDS MANAGEMENT/LAND/STATE	\$4.75
DEED	\$30.00
RP5217/COUNTY	<b>\$9.</b> 00
RECORDING PAGE	\$5.00
CULTURAL ED/LAND/STATE	\$14.25
RP5217/STATE/RES/AGR	\$118.00
RETT/STATE	(\$1.00)
RETT/RETENTION	\$1.00
10:53:00 AM	\$0.00
REFEREE REPORT OF SALE	
DEUTSCHE BANK V SAUNDRA GREEN ET	AL
Accounts	Amount
FILING & MISCELLANEOUS	\$0.00
LACOTE CONTRACTOR OF THE PARTY	
Itemized Check Listing	
Check # 34723	\$865.50
Miles II William	
Total Due:	\$865.50
Paid By Check:	\$865.50
Change Tendered:	\$0.00
http://www.CLINTONCOUNTYGOV.	COM
HAVE A DIOC DAVI	

HAVE A NICE DAY!

Notary Public

After recording, return this deed to: Gross Polowy, LLC Attn: Sales Dept 1775 Wehrle Drive, Suite 100 Williamsville, NY 14221



CaseGen: 24386

# Rec. 4/23/15@10:52am Inst. 271216 TIMESTAMP

REFEREE'S DEED

This Deed, made this August 2015 between SAUNDRA GREEN and BRYAN GREEN by W. Bradney Griffin, Esq., Reference with an address of 2461 Main Street, Suite 2, Lake Placid, NY 12946, being the party of the first part and DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL I INC. TRUST 2006-NC4, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-NC4, with an address of 1761 East St. Andrew Place, Santa Ana, CA 92705, being the party of the second part,

WITNESSETH, that the party of the first part was appointed REFEREE in an action entitled DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY ABS CAPITAL I INC. TRUST 2006-NC4 vs. SAUNDRA GREEN and BRYAN GREEN, et al. to foreclose a mortgage(s) recorded in the Office of the Clinton County Clerk at Certificate/Docket Number 2006-00193167 filed under Index Number 703/09. Said mortgage was assigned by an assignment executed April 23, 2009, and recorded on June 1, 2009, in the Office of the Clinton County Clerk at Instrument No. 2009-00224395;

In pursuance of a JUDGMENT OF FORECLOSURE in said action, executed by the SUPREME COURT and duly entered on the 7th day of March, 2014, and in consideration of the sum of One hundred and seventy thousand dollars (\$170,000.00); being the highest sum bid at said, the party of the first part does hereby grant and convey unto the party of the second part, its successors and assigns, the premises described in "Schedule A" attached hereto,

To have and to hold the premises so conveyed unto the party of the second part, its successors and assigns forever.

The premises are not subject to a credit line mortgage.

In witness whereof, the party of the first part has set his/her hand the day and year first above written.

For tax assessor/indexing use:
Section, Block and Lot number, or Block and Lot number: 207.19-5-18
Property address: 115 COURT STREET, PLATTSBURGH, NY 12901
Tax mailing address: 1761 East St. Andrew Place, Santa Ana, CA 92705

W. Gradney Griffin, Esq.

STATE OF NEW YORK
COUNTY OF ESEX
CITY OF LAKE PROCESS

) SS.

Notary Public

After recording, return this deed to: Gross Polowy, LLC

Attn: Sales Dept 1775 Wehrle Drive, Suite 100

Williamsville, NY 14221



# Blue Title Services, LLC

**SEARCH NO.** 709987

# Schedule A - Description of the Premises

ALL THAT TRACT OR PARCEL OF LAND with the buildings and improvements thereon, situate in the City of Plattsburgh, County of Clinton and State of New York, described as follow, viz:

BEGINNING at a point in the center of William Street where said street intersects Court Street, and running thence west in the south line of said Court Street one hundred thirty-four (134) feet; thence south in a line parallel with William Street and along the east line of land owned and occupied by Dr. R.A. Hogue about one hundred ten and one-half (110 ½) feet to land owned formerly by Adrian Senecal and now by David Sterns; thence east in the north line of said land of Sterns to the center of William Street thence north in the center of William Street to the place of beginning.

SUBJECT TO easements of record or visible upon an Inspection of the premises.

EXCEPTING that portion of the above described lands lying within the bounds of the public highway.

1 460 1 01 2



# Property Description Report For: 115 Court St, Municipality of City of Plattsburgh

No Photo Available

Total Acreage/Size:

134 x 111

2015 - Tentative Land Assessment:

\$33,100

2014 - \$33,100

**Full Market Value:** 2015 - Tentative

\$252,000

3,983 sq. ft.

1,462 sq. ft.

177 sq. ft.

2014 - \$252,000

**Equalization Rate:** 

**Deed Book:** 20061 **Grid East:** 761844 Status:

**Roll Section:** 

Swis: Tax Map ID #:

**Property Class:** Site:

In Ag. District:

**Site Property Class: Zoning Code:** 

**Neighborhood Code: School District:** 

**Total Assessment:** 

\$252,000 2014 - \$252,000

**Legal Property Desc:** 

**Deed Page:** 93166 **Grid North:** 2138374

# Area

**Living Area:** Second Story Area: **Additional Story Area:** 

**Finished Basement:** 0 sq. ft. **Finished Rec Room** 0 sq. ft. First Story Area:

**Half Story Area:** 3/4 Story Area:

1,532 sq. ft. 0 sq. ft. 812 sq. ft.

Active

RES<sub>1</sub>

No

**Taxable** 091300

207.19-5-18 210 - 1 Family Res

210 - 1 Family Res 03 - R2 general res

13305 - Center City

2015 - Tentative

Plattsburgh

**Number of Stories:** 

# Structure

**Building Style: Bedrooms:** 

Old style

Bathrooms (Full - Half): 4 - 1

2

**Kitchens: Basement Type:** 

Full 48.00

**Porch Type:** Porch-coverd Basement Garage Cap:

**Attached Garage Cap:** 

960.00 sq. ft.

**Overall Condition:** 

Normal

**Overall Grade:** 

**Porch Area:** 

Good

Year Built:

Fireplaces:

1900

# 

# **Owners**

Bryan Green 707 Lafayette Ave Brooklyn NY 11221 Saundra Green 707 Lafayette Ave Brooklyn NY 11221

# Sales

No Sales Information Available

# **Utilities**

**Utilities:** 

**Fuel Type:** 

Sewer Type:

Comm/public

Electric Electric

**Water Supply:** 

Heat Type:

**Central Air:** 

Comm/public

Hot wtr/stm

No

# **Improvements**

Structure	Size	Grade	Condition	Year
Gar-1.0 att	40 × 24	Average	Good	1972
Pavng-asphlt	850 sq ft	Average	Normal	1972
Porch-coverd	8 × 6	Good	Normal	1900
Porch-coverd	675 sq ft	Good	Normal	1900
Porch-screen	0 x 0	Good	Normal	1900

# Land Types

Type

Primary

Size

134 × 111

# Special Districts for 2015 (Tentative)

No information available for the 2015 roll year.

# Special Districts for 2014

No information available for the 2014 roll year.

# **Taxes**

Year	Description	Amount
2014	City	\$4,194.96
2014	School	\$5,348.67
2013	City	\$4,235.35
2013	School	\$5,382.27

1 460 0 010

\*Taxes may not reflect exemptions or changes in assessment

Times Times troport image mane cimie



Prin First and Last Name

# Plattsburgh, NewYork

Building & Zoning Dept. 41 City Hall Place Plattshurgh, New York, 12001

Plattsburgh, New York 12901 Ph: 518-563-7707

Pn: 518-563-7707 Fax: 518-563-6426

US CLASS A VARIANCE	Ē	AR CLASS B VARIANCE	EA	SUP SPECIAL USE PERM	a T
Date: $\frac{5/13/2}{}$	2011		peal No.:_\(\vec{\alpha}\)	037	
An application is hereby made allow the property use as herei	to the Zoning Board on described.				nce for a variance to
Applicant:	JUSTIH	FABLE	-BUD	ALL	11.00
Applicant's Address:	4942	Jo. Cay	keline	Street	Plathbugh
Telephone No.:	(518) 5	622193	2		
Parcel Identification:		221.11	-4-1	7	
Location of Request:	4942 Sc	. Catherin	e Ite	et, Pla	though
Property Owner:	Tydith	FABLE		St.	
Request Description:	Tear a	Pan an	d sec	the SIDI	ight
Zoning District:	7001	R2	71 701		
Section Appealed:	Name and the last the				
Previous Appeal: No.:		Date:			
Identify Applicant's Right to Ap	ply for Variance:				
Ownership: X	Long Term Leas	se:	Contract	Го Purchase:	
Other (Please Explain):	_				
Applications for Zoning Vari 13 copies of existing 13 copies of existing	and proposed site p	lan			
The Zoning Board of Appeal provided they are directly re consistent with the spirit and impact such variance may hav	elated to and incide intent of the zoning	lental to the proporing law, and shall be	sed use of the imposed for t	e property. Such the purpose of min	conditions shall be
1 . 10	on the neighborn	ood or community;	Notary Public,	S. NEPHEW State of New York	
* JUCITH FAC Signature (Overer'Applicant)	<u> </u>		Registration No. 12 Commission Exp	No. 01NE6322848  Clinton County lires 4/13 30	119

\*Signatures other than the Property Owner, require a Letter of Authorization to apply.

# B. Government Approvals

	ntity	If Yes: Identify Agency and Approval(s)  Required		Application Date (Actual or projected)	
		Required	(Actual or	projected)	
<ul> <li>a. City Council, Town Board or Village Board of Truste</li> </ul>					
<ul> <li>b. City, Town or Village</li> <li>Planning Board or Commit</li> </ul>	□Yes□No ssion				
<ul> <li>c. City Council, Town or Village Zoning Board of A</li> </ul>	Yes No ppeals	2 oning board approval	5/13/2	015	
d. Other local agencies	□Yes□No	0	1 1		
e. County agencies	□Yes□No		0		
Regional agencies	□Yes□No				
. State agencies	□Yes□No				
. Federal agencies	□Yes□No				
ii. Is the project site located iii. Is the project site within a Planning and Zoning		with an approved Local Waterfront Revitalizati Hazard Area?	on Program?	Yes No	
1. Planning and zoning act	ions				
ill administrative or legislative or legislative approval(s) which must be If Yes, complete section	we adoption, or an e granted to enabons C, F and G.	mendment of a plan, local law, ordinance, rule of the proposed action to proceed? The plete all remaining sections and questions in Pa		□Yeş No	
2. Adopted land use plans.					
		age or county) comprehensive land use plan(s)	include the site	□Yes□No	
where the proposed action wo es, does the comprehensive ald be located?		cific recommendations for the site where the pr	oposed action	□Yes□No	
		cal or regional special planning district (for extend of the state or Federal heritage area; watershed make the state of Federal heritage area; watershed make the state of th		□Yes No	
( <del></del>					

f. Does the proje					
If Yes, show nu	nbers of units prop		Thurs Family	Multiple Eamily (four or more)	
	One Family	Two Family	Three Family	Multiple Family (four or more)	
Initial Phase At completion	-	( <del></del>	-		
of all phases					
g. Does the prope	osed action include	new non-residenti	ial construction (inclu	iding expansions)?	☐Yes No
If Yes,	of structures			19	,
ii. Dimensions (	in feet) of largest r	proposed structure:	height:	width; andlength	
iii. Approximate	extent of building	space to be heated	or cooled:	square feet	
				l result in the impoundment of any	☐ Yes No
liquids, such as	s creation of a wate	er supply, reservoir	r, pond, lake, waste la	agoon or other storage?	
If Yes,					
i. Purpose of the	impoundment:	-11	water:	Ground water Surface water street	ome DOth
n. If a water impo	ounament, the prin	cipal source of the	water:	Ground water Surface water such	amsOther spec
ii. If other than w	ater, identify the ty	ype of impounded/	contained liquids and	d their source.	3.57
	C.1	1. 1.	77.1	illian alleng overfore areas	
iv. Approximate s	size of the propose	d impoundment.	Volume:	million gallons; surface area: height;length	ac
v. Dimensions of	une proposed dam	or impounding str	nicture:	_ neignt; length racture (e.g., earth fill, rock, wood, con	nctete):
vi. Constituction i.	nemouniatenais 1	or the proposed da	an or unbounding so	nettire (e.g., cartii iiii, rock, wood, coi	nerete).
. a. b. 1 c					
Does the propos	ed action include a			uring construction, operations, or both	? Yes No
Does the propos (Not including g	ed action include a eneral site prepara			uring construction, operations, or both or foundations where all excavated	? DYes No
Does the propos (Not including g materials will re	ed action include a eneral site prepara				? Yes Xio
Does the propos (Not including g materials will res 'Yes:	ed action include a eneral site prepara main onsite)	tion, grading or in	stallation of utilities		? Yes No
Does the propos (Not including g materials will res 'Yes:	ed action include a eneral site prepara main onsite)	tion, grading or institution or dredging?	stallation of utilities	or foundations where all excavated	? Yes No
Does the propos (Not including g materials will re: 'Yes: . What is the pury How much mate	ed action include a eneral site prepara- main onsite) pose of the excavat rial (including rocl	tion, grading or institution or dredging? k, earth, sediments	stallation of utilities	or foundations where all excavated  be removed from the site?	? Yes Xio
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Does the propose (Not including generals will referse.  What is the pure How much mate Volume (so Over what Describe nature)  Will there be on If yes, describe What is the total What is the max What would be so Will the excava Summarize site referse.	ed action include a eneral site preparamain onsite)  pose of the excavatorial (including rock duration of time? and characteristics ensite dewatering or energy area to be dredged imum area to be with emaximum dept tion require blastire eclamation goals area action cause or	tion, grading or instion, grading or instion or dredging? k, earth, sediments ic yards): s of materials to be r processing of exceed or excavated? d or excavated? d or excavation or ing? and plan: result in alteration	stallation of utilities  s, etc.) is proposed to e excavated or dredg cavated materials?  time? r dredging?	or foundations where all excavated  be removed from the site?  ed, and plans to use, manage or dispo acresacresfeet	se of them.
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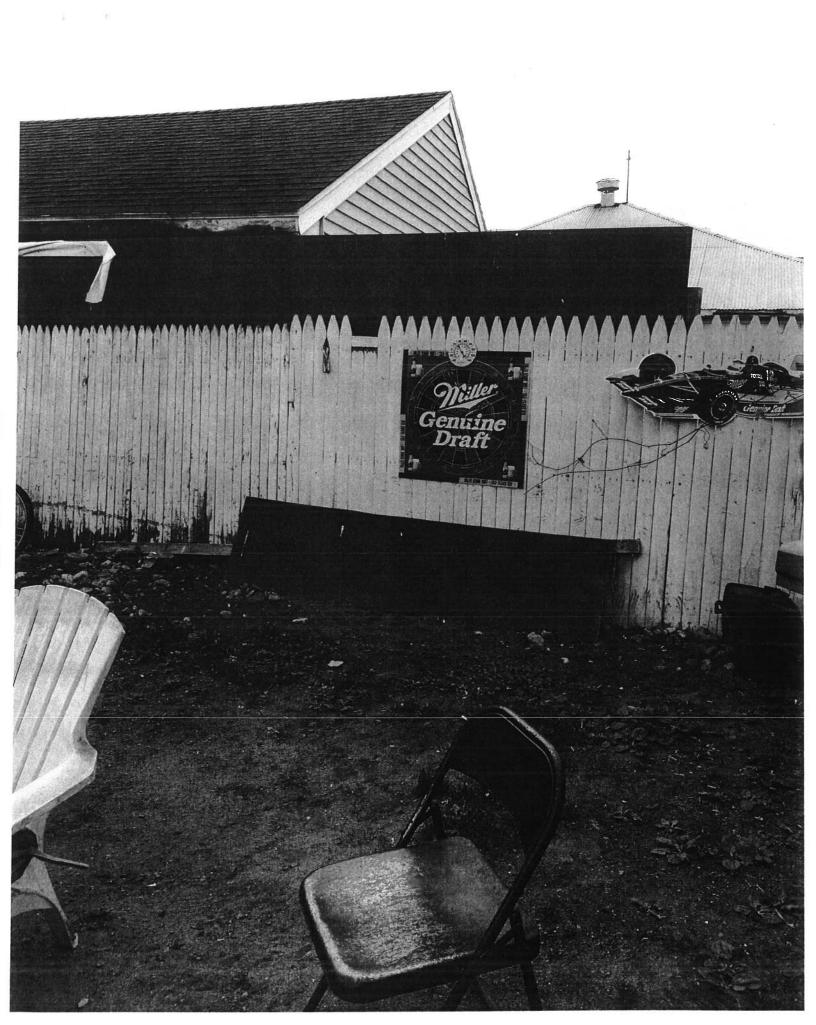
Do existing sewer lines serve the project site?	☐Yes ☐No
Will line extension within an existing district be necessary to serve the project?	□Yes □No
If Yes:	
Describe extensions or capacity expansions proposed to serve this project:	
Describe extensions of capacity expansions proposed to serve une project.	
TIVIL	☐Yes ☐No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?	
If Yes:	
Applicant/sponsor for new district:	
Date application submitted or anticipated:	
• What is the receiving water for the wastewater discharge?  v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specific plans to provide wastewater treatment for the project, including specific plans to provide wastewater treatment for the project, including specific plans to provide wastewater treatment for the project, including specific plans to provide wastewater treatment for the project, including specific plans to provide wastewater treatment for the project, including specific plans to provide wastewater treatment for the project, including specific plans to provide wastewater treatment for the project, including specific plans to provide wastewater treatment for the project.	cifizing proposed
receiving water (name and classification if surface discharge, or describe subsurface disposal plans):	enying proposed
vi. Describe any plans or designs to capture, recycle or reuse liquid waste:	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point	☐Yes No
sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point	/
source (i.e. sheet flow) during construction or post construction?	
If Yes:	
i. How much impervious surface will the project create in relation to total size of project parcel?	
Square feet or acres (impervious surface)	
Square feet or acres (parcel size)	
ii. Describe types of new point sources.	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent proundwater, on-site surface water or off-site surface waters)?	properties,
If to surface waters, identify receiving water bodies or wetlands:	
If to surface waters, identify receiving water bodies or wetlands:	
Will stormwater runoff flow to adjacent properties?	□Yes□No
v. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?	□Yes□No
Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel	□Yes No
combustion, waste incineration, or other processes or operations?	
f Yes, identify:	
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)	
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)	
ii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)	
Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit,	□Yes □Xo
or Federal Clean Air Act Title IV or Title V Permit?	
Yes:	□Yes□No
Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet	1 C2110
ambient air quality standards for all or some parts of the year)	
In addition to emissions as calculated in the application, the project will generate:	
•Tons/year (short tons) of Carbon Dioxide (CO <sub>2</sub> )	
•Tons/year (short tons) of Nitrous Oxide (N <sub>2</sub> O)	
<ul> <li>Tons/year (short tons) of Perfluorocarbons (PFCs)</li> </ul>	
• Tons/year (short tons) of Sulfur Hexafluoride (SF <sub>6</sub> )	
Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)	
Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	
· · · · · · · · · · · · · · · · · · ·	

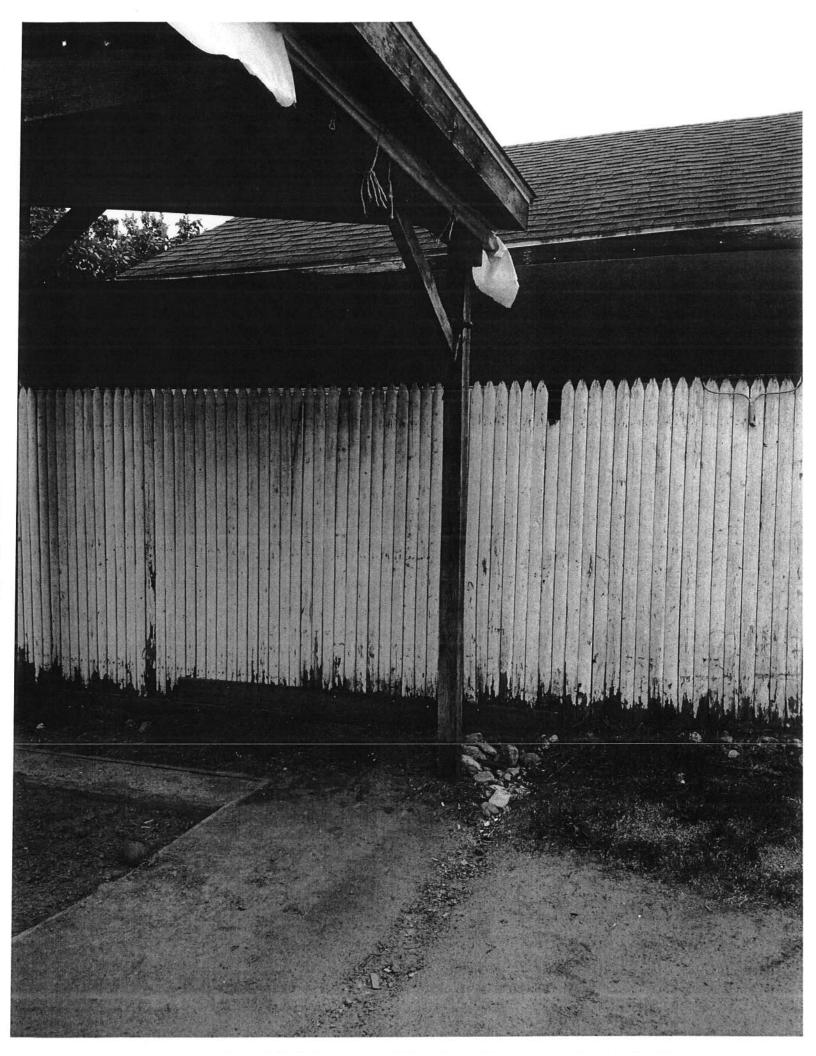
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction,	□Yes \\O
operation, or both?	
If yes:	
i. Provide details including sources, time of day and duration:	
ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?	□Yes□No
Describe:	- 1 05 - 110
n Will the proposed action have outdoor lighting?	□Yes No
If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	,
i. Will proposed action remove existing natural barriers that could act as a light barrier or screen?	□Yes□No
Describe:	
b. Does the proposed action have the potential to produce odors for more than one hour per day?	☐ Yes 🂢 o
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:	
The state of the s	□Yes□No
Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes:	Песто
i. Product(s) to be stored i. Volume(s) per unit time (e.g., month, year)	
i. Generally describe proposed storage facilities:	
Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?	☐ Yes No
Yes:  i. Describe proposed treatment(s):	
	D Vas DNa
Will the proposed action use Integrated Pest Management Practices?	☐ Yes ☐ No
Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?	☐ 1 C3 ☐ 140
Yes:	
Describe any solid waste(s) to be generated during construction or operation of the facility:	
• Construction: tons per (unit of time)	
Operation: tons per (unit of time)  Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waster  Operation: tons per (unit of time)	:
Construction:	
• Operation:	
Proposed disposal methods/facilities for solid waste generated on-site://	
· Construction: TAKing it to the land/ill	£
• Operation:	

v. Is the project site subject to an institutional control limiting property uses?	DY es No
a If yes DEC sits ID number:	
Describe the type of institutional control (e.g., deed restriction or easement):	
<ul> <li>Describe any use limitations:</li> <li>Describe any engineering controls:</li> </ul>	
Will the project affect the institutional or engineering controls in place?     Explain:	□Yes□No
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site?	
b. Are there bedrock outcroppings on the project site?  If Yes, what proportion of the site is comprised of bedrock outcroppings?	Ll Y es No
c. Predominant soil type(s) present on project site:	_% _% _%
d. What is the average depth to the water table on the project site? Average:feet	
e. Drainage status of project site soils: Well Drained: % of site	
Moderately Well Drained: % of site  Poorly Drained % of site	
f. Approximate proportion of proposed action site with slopes: 0-10%: % of site 10-15%: % of site 15% or greater: % of site	5
g. Are there any unique geologie features on the project site?	XYes No
If Yes, describe Tower T	
h. Surface water features.  i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers,	□Yes No
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?	□Yes No
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	☐Yes No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
Lakes or Ponds: Name Classification	
Wetlands: Name Approximate Size      Wetland No. (if regulated by DEC)	
Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?	☐ Yes ☐No
f yes, name of impaired water body/bodies and basis for listing as impaired:	
Is the project site in a designated Floodway?	☐Yes No
Is the project site in the 100 year Floodplain?	□Yes No
. Is the project site in the 500 year Floodplain?	☐Yes ☐No
Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes:	□Yes No
i. Name of aquifer:	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	☐ Yes No
If Yes:	
i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District ii. Name:	
iii. Brief description of attributes on which listing is based:	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for	☐Yes ☐Xo
archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	☐Yes 🗷 🗘 Oo
If Yes:	
i. Describe possible resource(s):  ii. Basis for identification:	
h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local	☐Yes No
scenic or aesthetic resource?	
If Yes:  i. Identify resource:	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or	scenic byway
etc.):	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers	☐ Yes No
Program 6 NYCRR 666? If Yes:	
i. Identify the name of the river and its designation:	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	☐Yes ☐No
F. Additional Information	
Attach any additional information which may be needed to clarify your project.	
The second and the second which they be needed to claimly your project.	
If you have identified any adverse impacts which could be associated with your proposal, please describe those in measures which you propose to avoid or minimize them.	apacts plus any
Jan par production and the state of the stat	
G. Verification	
I certify that the information provided is true to the best of my knowledge.	
Applicant/Sponsor Name Date 5/13/20/5	
Applicant/Sponsor Name JULITY TO BE Date 5/13/20/5 Signature JULITY ABIE Title HOME DUNCE	









# Plattsburgh, NewYork

Building & Zoning Dept.
41 City Hall Place

Plattsburgh, New York 12901 Ph: 518-563-7707

NOTARY PUBLIC-STATE OF NEW YORK
No. 01Gi6139292

Qualified in Clinton County

Fax: 518-563-6426

USI	SUP
CLASS A VARIANCE	CLASS B VARIANCE SPECIAL USE PERMIT
Date: $\frac{5/21/15}{}$	Appeal No.: 2038
An application is hereby made tallow the property use as herein	to the Zoning Board of Appeals pursuant to the City of Plattsburgh Zoning Ordinance for a variance to described.
Applicant:	John 4 TiNA COUN
Applicant's Address:	Peru needlook
Telephone No.:	643
Parcel Identification:	207.15-9-65
Location of Request:	12 Latayete st. Platsburgh NY
Property Owner:	John & Time Cony
Request Description:	Zemoval porch, Build New Porch
Zoning District:	New 2: 10' x 20'
Section Appealed:	
Previous Appeal: No.:_	Date:
Identify Applicant's Right to Ap	oly for Variance:
Ownership:	Long Term Lease:Contract To Purchase:
Other (Please Explain):	
13 copies of existing a	nces must be accompanied by: and proposed site plan and proposed floor plan
The Zoning Board of Appeals	may impose reasonable conditions and restrictions on the grant of area and use variances

Print First and Last Name

My Commission Expires January 03, 2018

Notary Public

provided they are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning law, and shall be imposed for the purpose of minimizing any adverse

impact such variance may have on the neighborhood or community.

<sup>\*</sup>Signatures other than the Property Owner, require a Letter of Authorization to apply.

# 617.20 Appendix B Short Environmental Assessment Form

#### **Instructions for Completing**

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Name of Action of Project:	40	1	
Name of Action or Project:  Building New 20 × 10 making Sto  Project Location (describe, and attach a location map):	riks 10 Kun Un	des	Deal
12 Lattette St			
	01 =	^ 0	
Take off old deck 20 x 0 3 with H	e Staus on out:	sid,	
The New Deck will be 20x 10 AND Sta So they Don't Do not have to be S	ir will be under	Dec	k
So they Don't Do not have to be S	hoveled with the	Sno	eu
/			
Name of Applicant or Sponsor:	Telephone: 5/8 572 9	11115	,
Text Besain da 2 10 -	E-Mail: besaw bw ders	77/	
Address: Besaw Bulber Inc	DESCUSION WEVS	LNC	
City/PO:			
City/PO:	State: Zit	Code:	
PLAtsburg		2901	.
1. Does the proposed action only involve the legislative adoption of a plan, le		NO	YES
administrative rule, or regulation?			
If Yes, attach a narrative description of the intent of the proposed action and may be affected in the municipality and proceed to Part 2. If no, continue to	the environmental resources that		
2. Does the proposed action require a permit, approval or funding from any		NO	YIDO
If Yes, list agency(s) name and permit or approval:	other governmental Agency?	NO	YES
T SPECIAL SECTION OF SPECIAL SEC			
0 m . 1	· ·		
3.a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed?	Hest 1 acres		
c. Total acreage (project site and any contiguous properties) owned	acres		
or controlled by the applicant or project sponsor?	acres		
1 Check all land were that occur or adicining a distribution of the state of the st			
<ol> <li>Check all land uses that occur on, adjoining and near the proposed action.</li> <li>Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Comme</li> </ol>	ercial MResidential (suburban)		
	specify):		
Parkland			

	8. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?  **Type combine proposed action:	f	NO)	YI
-	f Yes, explain purpose and size:		X	
	9. Has the site of the proposed action or an adjoining property been the location of an active or close solid waste management facility? f Yes, describe:		NO	Y
	O. Has the site of the proposed action or an adjoining property been the subject of remediation (ongo completed) for hazardous waste?  Yes, describe:	ing or (	NO)	Y
K A	AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO NOWLEDGE  pplicant/sponsor name: Date:			
otl	testions in Part 2 using the information contained in Part 1 and other materials submitted by the projections are available to the reviewer. When answering the questions the reviewer should be guided by			
res	sponses been reasonable considering the scale and context of the proposed action?"	No, or	Mod	der
res			Mod to im	der larg
		No, or small impact may	Mod to im	
1.	Sponses been reasonable considering the scale and context of the proposed action?"  Will the proposed action create a material conflict with an adopted land use plan or zoning	No, or small impact may	Mod to im	der larg
1.	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	No, or small impact may	Mod to im	der larg
1. 2. 3.	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?  Will the proposed action result in a change in the use or intensity of use of land?	No, or small impact may	Mod to im	der lar pa
1. 2. 3. 4.	Will the proposed action result in a change in the use or intensity of use of land?  Will the proposed action impair the character or quality of the existing community?  Will the proposed action have an impact on the environmental characteristics that caused the	No, or small impact may	Mod to im	der larg
1. 2. 3. 4.	Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?  Will the proposed action result in a change in the use or intensity of use of land?  Will the proposed action impair the character or quality of the existing community?  Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?  Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?  Will the proposed action cause an increase in the use of energy and it fails to incorporate	No, or small impact may	Mod to im	der larg
1. 2. 3. 4.	Will the proposed action result in a change in the use or intensity of use of land?  Will the proposed action impair the character or quality of the existing community?  Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?  Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	No, or small impact may	Mod to im	der larg
11. 2. 3.	Will the proposed action result in a change in the use or intensity of use of land?  Will the proposed action impair the character or quality of the existing community?  Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?  Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?  Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?  Will the proposed action impact existing:	No, or small impact may	Mod to im	der lar pa
1. 2. 3. 4.	Will the proposed action result in a change in the use or intensity of use of land?  Will the proposed action impair the character or quality of the existing community?  Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?  Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?  Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?  Will the proposed action impact existing:  a. public / private water supplies?	No, or small impact may	Mod to im	der lar pa

18 Steps INC LANDINGS

appeal 2038 12 Lafayette St. Jahn & Tana Covery



ATTORNEYS AT LAW

May 22, 2015

<u>Via Hand-Delivery</u> City of Plattsburgh Zoning Board Plattsbrugh NY, 12901

Class A Variance

Re: 134 Brinkerhoff Street

Dear Respected Members of the Board:

Please be advised that our office has been retained to represent Dr. Michael Boulé regarding the enclosed Use Variance Application. In sum, the Use Variance proposes to convert the former dental office located at 134 Brinkerhoff Street to a three-bedroom residential apartment in lieu of a continued commercial use. In light of this proposal, this office respectfully submits the information below together with the Use Variance and attachments thereto. Further, please find enclosed a check made payable to the City Clerk in the amount of \$150. In addition to this submission, a comprehensive digital file is maintained by this office and additional or supplemental information in support of the enclosed proposal can be provided upon request.

#### Background

The building located at 134 Brinkerhoff Street was built by Solomon Kelley as a single family residence. The brick building and barn, completed in late 1897, were occupied by the Kelley family, which included six children and livestock. In 1907 and again in the mid 1920's the orientation of the homestead's interior was partitioned into distinct living areas to accommodate the Kelley's extended family.

In 1953 the property was transferred to Dr. Isadore A. Boulé, who had married Solomon Kelley's daughter Caroline. Dr. Isadore Boulé had established a one-room dental practice on Margaret Street (above what is now the Corner Stone Book Store). Initially, the relocated dental practice at 134 Brinkerhoff Street was limited to the front-parlor, a mere 14' x 13' area which was later expanded to accommodate Dr. Boule's two sons, Dr. Roger I. Boulé and Dr. John Boulé upon each son successfully graduating dental school.

EDWARD J. O'CONNELL 1925-1939 SAMUEL E. ARONOWITZ 1925-1973 LEWIS A. ARONOWITZ 1951-1979

CORNELIUS D. MURRAY FRED B. WANDER STEPHEN R. COFFEY JEFFREY J. SHERRIN WILLIAM A. FAVREAU THOMAS J. DINOVO NANCY SCIOCCHETTI PAMELA A. NICHOLS JEFFREY A. SIEGEL DONALD W. BIGGS JAMI DURANTE ROGOWSKI HEIDI DENNIS DAVID R. ROSS KURT E. BRATTEN MICHAEL P. McDERMOTT KELLY J. MIKULLITZ WILLIAM F. BERGLUND ROBERT J. KOSHGARIAN

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RESPOND TO:

206 WEST BAY PLAZA
PLATTSBURGH, NY 12901-1786
TEL: (518) 562-0600

TEL: (518) 562-0600 FAX: (518) 562-0657 1 COURT STREET
SARATOGA SPRINGS, NY 12866-4301
Tel: (518) 584-5205

During the periods when the City of Plattsburgh adopted a comprehensive plan and applied or reapplied zoning standards, the existing commercial use was a non-conforming commercial use within the Residential Historical district which comprises both Brinkerhoff Street and Court Street. Further, the existing residential portions which had long been dedicated to separate accommodations for extended family also did not conform to the Residential Historical accessory uses as a single-family residence or home occupation.

The non-conforming commercial use has as a dental practice, has continued at that location until 2013. Unfortunately, despite the multitude of upgrades attempting to accommodate the changing landscape of a modern dental practice and standards of medical science, those demands have outpaced the fixtures, structure and intention of the 1897 building.

Through the efforts of three generations of Boulé dentists, including the late Dr. Isadore Boulé, Dr. Roger Boulé, Dr. John Boulé and the progeny who continue to practice here in Plattsburgh; Dr. Michael Boulé and Dr. Ann Boulé-Spear, the brick structure located at 134 Brinkerhoff Street is no longer a viable environment for medical practice and despite the rich history of dental practice, the limitations of design, fixtures, and architecture together with the nature of the surrounding neighborhood necessitates the enclosed Use Variance wherein the petitioner requests that this Board grant the application in its entirety and restores the building to its original use as a residential structure.

#### Undue Hardship

In reviewing any application for a Use Variance, General City Law, 81 et. seq., requires that any applicant demonstrate that an "unnecessary hardship" exists for each and every permitted use under the zoning regulation for the particular district where the property is located. In the instant case, the request herein is to permit the discontinuance of a non-conforming use and permit a separate non-conforming use (albeit conforming to the remainder of the building and neighborhood). The hardship within is adapting the building to accommodate a commercial use that does not exceed the utility of the subject property but also to one that could be located in the Residential Historic District (RH) at a non-historic site that does not significantly alter the character of the neighborhood.

Within the Residential Historic designation a number of permitted uses (requiring a special permit) include using the structure as a Nursing Home, Bed and

Breakfast, or conversion some portion thereof to an accessory apartment. In all three scenarios the design would essentially be the same and the underlying use would be significantly similar to the request herein – room and board.

The additional uses requiring a special permit in the Residential Historical district include: church, fire house, art studio, medical clinic, elementary or high school. The petitioner submits that these applications are wholly inapplicable to the neighborhood and to the structure as it exists today. Any of the above referenced application would require extensive external alterations to the existing building which undermines the entirety of this request.

#### Unreasonable Rate of Return

In evaluating "unnecessary hardship" the first prong of analysis "reasonable rate of return" is determined by a number of factors to be considered by the respected Members of the Board and the courts. The financial factors, as it appears in case law and precedent may be limited to one factor or include a variety of factors. <u>Joseph Nemeth v. Village of Hancock Zoning Board of Appeals</u>, 127 A.D. 3d 1360 (2015). To provide the requisite "dollars and cents" analysis, the current Note and Mortgage payment on the subject property is Twenty Five Thousand Five hundred Sixty Three Dollars (\$25,563.36) and 36/100 per annum, or alternatively Two Thousand One Hundred and Thirty Dollars (\$2130.28) and 28/100 per month. The annual combined tax for both school and land is Ten Thousand Dollars (\$10,000) per annum (school: \$5,600 and land: \$4,400 respectively). The operating expense including utilities, maintenance, rubbish and snow removal and lawn care average Six Thousand Six Hundred Dollars (\$6,600) per annum and does not include major repairs such as plumbing, electrical, etc. In total, the average annual expenditure exceeds Forty-Two Thousand Dollars (\$42,000).

Contrasting the above expenditures with the net-value derived from rentals in the amount of Twenty Six Thousand Four Hundred Dollars (\$26,400) highlights a current operating deficit of Fifteen Thousand Six Hundred Dollars (\$15,600) per annum. This figure assumes full-residential occupancy of the existing four-units and excluding rent that may be attributable to the former dental office.

In terms of reasonable rate of return, no current or positive rate of return is available. While operational, the former dental office contributed an average of Twenty Seven Thousand Dollars (\$27,000) per annum, between the year 2003- final closure on December 16<sup>th</sup> 2013. The excess of Ten Thousand Dollar (\$10,000) above

operation costs was generally applied to medical updates necessary for the use of increasingly sophisticated dental equipment that was designed for more spacious and modern buildings. The amount paid for the building and land (\$265,000) and its present market value (\$265,000) are identical.

The reasonable rate of return must be evaluated in light of all other existing uses permitted under the commercial zoning ordinance. <u>Joseph Nemeth v. Village of Hancock Zoning Board of Appeals</u>, 127 A.D. 3d 1360 (2015). As detailed in the City of Plattsburgh Code, the Residential Historical (RH) zone permits several applications however, most if not all commercial applications would require a substantial expansion on the non-conforming commercial use. As mentioned above, at the time of the zoning overlay, the dental or commercial use was non-conforming as was the residential portions. Presumably, many of the permitted uses such as fire house of elementary school would completely diminish the rent basis of the existing units and further depress any reasonable rate of return.

All other commercial space within 500 ft., or even 1000 ft., of the subject property are businesses established before the zoning laws came into effect (Chuck Wagon formerly the Prescription Center and Zuke's formerly the Chuck Wagon). These existing commercial uses are geared towards the sale of food, alcohol and tobacco to the growing college population and would not be permitted uses in the Residential Historical. Comparatively, these buildings are not situated as uniquely as the property subject to the enclosed request.

In an attempt to further understand the rental market, internet advertising between the dates of December 2013 and August 2014 resulted in two inquiries regarding the feasibility of a "to-go" food service with a goal of serving 100 individuals per day with low cost rations. This inquiry would require a build-out with commercial kitchen fixtures. The inquiry required that those costs be shouldered by the property owner —a dentist, not a food purveyor, and was premised on approval of the applicable permitting and approval to operate the restaurant at 5:00 a.m. The feasibility of this inquiry at the zoning level is beyond the scope of this application and the permitting process for such an endeavor far exceeds any requirement by the courts to determine the reasonable rate of return on such proposals.

In sum, the rent offered was Fifteen Thousand Dollars (\$15,000) per annum, flat rate and secured for a five year term. Again, this amount would be less than the amount necessary to show any rate of return.

The second proposal was a barroom establishment contingent upon permitting and licensure. The self-proclaimed entrepreneur, a twenty-one year old and member of a neighboring fraternity, offered rent far below the price advertised, Twenty Five Thousand (\$25,000) per annum and the rate received by the dental office as a commercial rental. This offer was not explored further.

As such, and in light of the above financial considerations, the applicant respectfully submits to the Members of the Board that the current rate of return is unreasonable based upon the financial information provided and requests a determination of same at the scheduled hearing date.

#### **Essential Character**

The essential character of the surrounding neighborhood is overwhelmingly college housing that accommodates several multiple dwelling units. Generally speaking the subject property is unique among the neighboring properties as it has never housed college students and is the only non-food non-alcohol commercial use in the area. In many instances the evolved nature of the neighborhood has created significant difficulties to operating a professional medical establishment. For example, the subject property pursuant to ADA standards established a handicap access ramp in 1986. The handicap ramp has been destroyed and required a complete structural rebuilding on five occasions and requires attention on a yearly basis to address general damages caused by (presumably) college aged individuals. The formerly mixed residential/college neighborhood has given wa to an overwhelming number of college residents.

The Use Variance requested will simply substitute a three bedroom unit for an otherwise busy and crowded dental practice that served twenty (20) to thirty (30) patients per day. The population of clients created traffic swelling and congestion in Brinkerhoff and Wells Streets. The overall effect on the neighborhood, upon granting the Use Variance, would likely be a reduction in traffic and street-side parking between 8 a.m. and 5 p.m., and a general reduction in population flow on upper Brinkerhoff Street. Unlike many of the commercial uses permitted (and the signage allowable), absolutely no alterations to the exterior of the existing structure will be made.

In conclusion, and in light of the foregoing, the applicant respectfully requests that the Members of the Board find that the essential character of the surrounding neighborhood will not be affected by the request made herein.

#### Unique Hardship

To this point the applicant submits that the subject property is one of two properties within the surrounding neighborhood with a similar commercial and residential use within the residential Historic zone. By comparison, Zuke's Subs, the property located at 113 Brinkerhoff Street is similarly situated but has a significantly different commercial square footage compared to the percentage of residential occupancy of that building. In any event, the uniqueness of the hardship is evidenced by the fact that no other dual use building that is comprised of a low intensity office use combined with residential dwellings on upper Brinkerhoff Street.

In conclusion and in light of the above, the applicant respectfully requests that the Members of the Board approve the enclosed application for a Use Variance for the subject property located at 134 Brinkerhoff St.

Respectatiny,

Benjamin S. Barry, Esq.
O'Connell and Aronowitz, P.C.

Attorneys for Applicant Michael Boule

206 West Bay Plaza

Plattsburgh NY 12901



### Plattsburgh, New York

Zoning Board of Appeals City Hall Plattsburgh, New York 12901 518-563-7707

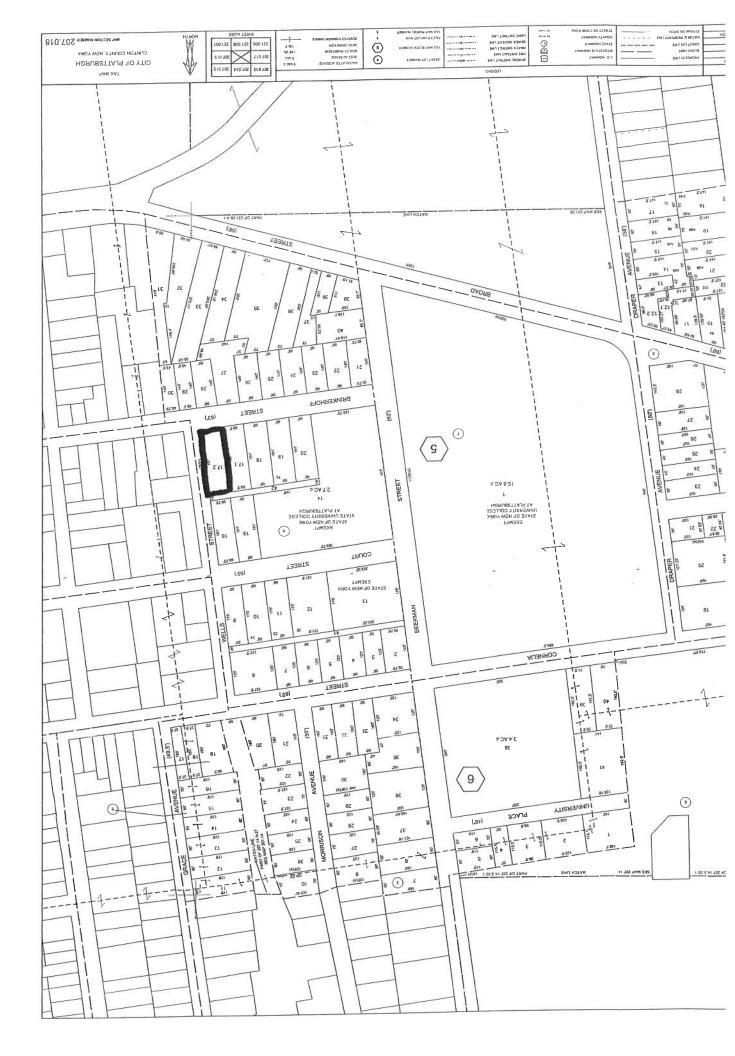
	X		USE
CLASS	A	VARIANCE	

AREA CLASS B VARIANCE

SUP SPECIAL USE PERMIT

Applicant:	Dr. Michael Boule, D.D.S.
Applicants Address	: 240 Jabez Allen Road
	Peru, New York 12972
Telephone Number:	_(518) 563–3090
Parcel Identificat:	ion: 207.18-5-17.2
Location of request	: 134 Brinkerhoff Street
Property Owner:	Dr. Michael Boule, D.D.S.
Request Description	: Variance for non-conforming commercial use
to_non-conform	ning residential.
Zoning District:	RH
Section Appealed:	
Previous Appeal: N	Date:
Identify applicants	the right to apply for variance:
	g term lease: Contract to purchase:
**	n):
	iances must be accompanied by:
opies of existing and popies of existing and p	roposed site plan.
use variances provided osed use of the propert intent of the zoning la	ble conditions and restrictions on the grant of are they are directly related to and incidental to the sum of the conditions shall be consistent with the spiral way, and shall be imposed for the purpose of minimizing the conditions the neighborhood or community.

NOTARY PUBLITROMBLEY
TABITHA L. TROMBLEY
Notary Public, State of New York
No. 01PE6093755
Residing in the County of Clinton
My Commission Expires



#### Full Environmental Assessment Form Part 1 - Project and Setting

#### **Instructions for Completing Part 1**

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

#### A. Project and Sponsor Information.

Name of Action or Project:				
	indeed (DII) and the Division			
134 Brinkerhoff Street - conversion of commercial use unit located in Residential Hist Project Location (describe, and attach a general location map):	oncai (RH) and Low Density Re	esidential (R1) to residential unit.		
134 Brinkerhoff Street, Plattsburgh New York				
Brief Description of Proposed Action (include purpose or need):				
See above; conversion of existing commercial use unit to residential unit located within limited to interior, exterior and curtelige unaffected.	n RH - R1 district. No alteration	s to exterior of building, alterations		
(A)	e <sup>1</sup>	*		
Name of Applicant/Sponsor:	m.1 1			
Dr. Michael J. Boule	Telephone: 518-563-	-3090		
	E-Mail:	E-Mail:		
Address: 240 Jabez Allen Rd.				
City/PO: Peru	State: NY	Zip Code: 12972		
Project Contact (if not same as sponsor; give name and title/role):				
Benjamin S. Barry, Esq.	Telephone: 518-562-	0600		
	E-Mail: bsb@plattsbu	urghlaw.com		
Address:				
206 West Bay Plaza				
City/PO:	State:	Zip Code:		
Plattsburgh	NY	12901		
Property Owner (if not same as sponsor):	Telephone:			
	E-Mail:			
Address:				
City/PO:	State:	Zip Code:		

#### B. Government Approvals

B. Government Approvals, Funding, or Spons assistance.)	sorship. ("Funding" includes grants, loans, tax	x relief, and any othe	r forms of financial
Government Entity	If Yes: Identify Agency and Approval(s) Required	Applicati (Actual or	
a. City Council, Town Board, □Yes□No or Village Board of Trustees			
b. City, Town or Village Yes No Planning Board or Commission			
c. City Council, Town or ✓Yes□No Village Zoning Board of Appeals	City of Plattsburgh Zoning		
d. Other local agencies ☐Yes☐No			
e. County agencies ☑Yes☐No	Clinton County Planning Board		
f. Regional agencies			
g. State agencies			
h. Federal agencies			
i. Coastal Resources.  i. Is the project site within a Coastal Area, or	the waterfront area of a Designated Inland Wa	nterway?	□Yes <b>☑</b> No
ii. Is the project site located in a community wiii. Is the project site within a Coastal Erosion I		on Program?	□ Yes☑No □ Yes☑No
C. Planning and Zoning			
C.1. Planning and zoning actions.			
Will administrative or legislative adoption, or am only approval(s) which must be granted to enable  If Yes, complete sections C, F and G.  If No, proceed to question C.2 and comp		(eg	☑Yes□No
C.2. Adopted land use plans.	<del>-</del>		
a. Do any municipally- adopted (city, town, villa, where the proposed action would be located?	ge or county) comprehensive land use plan(s)	include the site	<b>Z</b> Yes□No
If Yes, does the comprehensive plan include spec would be located?			☑Yes□No
b. Is the site of the proposed action within any loc Brownfield Opportunity Area (BOA); designat or other?) If Yes, identify the plan(s):			□Yes <b>☑</b> No
c. Is the proposed action located wholly or partial or an adopted municipal farmland protection partial yes, identify the plan(s):		al open space plan,	∐Yes⊠No

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?  Residential Historical and Residential Low Density	☑Yes□No
b. Is the use permitted or allowed by a special or conditional use permit?	☑Yes□No
c. Is a zoning change requested as part of the proposed action?  If Yes,  i. What is the proposed new zoning for the site?	☐Yes <b>Z</b> No
C.4. Existing community services.	
a. In what school district is the project site located? City of Plattsburgh	
b. What police or other public protection forces serve the project site?  City of Plattsburgh PD	
c. Which fire protection and emergency medical services serve the project site? City of Plattsburgh	
d. What parks serve the project site?  N/A	
D. Project Details	
D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed components)? Residential	l, include all
b. a. Total acreage of the site of the proposed action?  b. Total acreage to be physically disturbed?  c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?  66x191 acres	
<ul> <li>c. Is the proposed action an expansion of an existing project or use?</li> <li>i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles square feet)?</li> <li>%25</li></ul>	☑ Yes No housing units,
<ul> <li>d. Is the proposed action a subdivision, or does it include a subdivision?</li> <li>If Yes,</li> <li>i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)</li> </ul>	□Yes <b>☑</b> No
<ul><li>ii. Is a cluster/conservation layout proposed?</li><li>iii. Number of lots proposed?</li></ul>	□Yes <b>☑</b> No
e. Will proposed action be constructed in multiple phases?  i. If No, anticipated period of construction:  ii. If Yes:  • Total number of phases anticipated  • Anticipated commencement date of phase 1 (including demolition)  6 month  15 year	□Yes☑No

One Family Two Family Three Family Multiple Family (four or more)  Initial Phase	f. Does the proje	ct include new resid	dential uses?			✓ Yes No
Initial Phase At completion of all phases   4 current   5 total      South Proposed action include new non-residential construction (including expansions)?   Yes   No if Yes,	If Yes, show nur			T		ш - зош г то
At completion of all phases  g. Does the proposed action include new non-residential construction (including expansions)?  If Yes,  i. Total number of structures  ii. Dimensions (in feet) of largest proposed structure:height;width; andlength  iii. Approximate extent of building space to be heated or cooled:square feet  h. Does the proposed action include construction or other activities that will result in the impoundment of any   _ Yes   No     No   No   No    If Yes,  i. Purpose of the impoundment:	Toriginal Disc	One Family	1 wo Family	Inree Family	Multiple Family (four or more)	
g. Does the proposed action include new non-residential construction (including expansions)?				**************************************	4 current	
If Yes,  i. Total number of structures  ii. Dimensions (in feet) of largest proposed structure:height;width; andlength  iii. Approximate extent of building space to be heated or cooled:square feet  h. Does the proposed action include construction or other activities that will result in the impoundment of anyyesNo liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  If Yes,  i. Purpose of the impoundment:	•			-	5 total	
If Yes,  i. Total number of structures  ii. Dimensions (in feet) of largest proposed structure:height;width; andlength  iii. Approximate extent of building space to be heated or cooled:square feet  h. Does the proposed action include construction or other activities that will result in the impoundment of anylength liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  If Yes,  i. Purpose of the impoundment:	g. Does the propo	osed action include	new non-residentis	al construction (inclu	ding avnancional	
ii. Dimensions (in feet) of largest proposed structure: height;width; andlength siii. Approximate extent of building space to be heated or cooled: square feet  h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  If Yes,  i. Purpose of the impoundment:	If Yes,		non non rosidonin	in construction (metu	unig expansions)?	∐ Yes ☑ No
h. Does the proposed action include construction or other activities that will result in the impoundment of any   Yes No   liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  If Yes,  i. Purpose of the impoundment:  ii. If a water impoundment, the principal source of the water:   Ground water   Surface water streams   Other specify:  iii. If other than water, identify the type of impounded/contained liquids and their source.  iii. Approximate size of the proposed impoundment.   Volume:   million gallons; surface area:   acres    v. Approximate size of the proposed dam or impounding structure:   height;   length    vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  D.2. Project Operations  a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?   Yes  No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  if Yes:  i. What is the purpose of the excavation or dredging?  i. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  • Volume (specify tons or cubic yards):    • Over what duration of time?  ii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  If yes, describe.   Yes  No   Yes  Yes  Yes  Yes  Yes  Yes  Yes  Ye	i. Total number	of structures	<del></del>			
h. Does the proposed action include construction or other activities that will result in the impoundment of any	iii. Approximate	extent of building	roposed structure: space to be heated	height; or cooled:	width; andlength square feet	
If yes,  i. Purpose of the impoundment:  ii. If a water impoundment, the principal source of the water:	h. Does the propo	sed action include	construction or oth	er activities that will	result in the impoundment of any	□Yes 7No
i. Purpose of the impoundment: ii. If a water impoundment, the principal source of the water:	iiquids, such as	s creation of a wate	r supply, reservoir,	pond, lake, waste la	goon or other storage?	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:  iii. If other than water, identify the type of impounded/contained liquids and their source.  iv. Approximate size of the proposed impoundment. Volume: ☐ million gallons; surface area: ☐ acres  p. Dimensions of the proposed dam or impounding structure: ☐ height; ☐ length  vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  D.2. Project Operations  a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No  (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  if Yes:  i. What is the purpose of the excavation or dredging?  i. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  • Volume (specify tons or cubic yards):  • Over what duration of time?  iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  iv. Will there be onsite dewatering or processing of excavated materials? ☐ ☐ Yes ☐ No  If yes, describe. ☐ ☐ Yes ☐ No  What is the total area to be dredged or excavated?		imnoundment				
iii. If other than water, identify the type of impounded/contained liquids and their source.  iv. Approximate size of the proposed impoundment. Volume: million gallons; surface area: acres v. Dimensions of the proposed dam or impounding structure: height; length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  D.2. Project Operations  a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes \widetilde{\text{No}} No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  if Yes:  i. What is the purpose of the excavation or dredging?  i. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  • Volume (specify tons or cubic yards):  • Over what duration of time?  iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  iiv. Will there be onsite dewatering or processing of excavated materials? Yes \widetilde{\text{No}} No  If yes, describe \text{No} \text{ \text{Vest} \widetilde{\text{No}}}	ii. If a water imp	oundment, the princ	cipal source of the	water:	Ground water Surface water stream	ams Other specify.
iv. Approximate size of the proposed impoundment. Volume:	iii. If other than w	vater identify the tw	ne of impounded/			
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i. What is the purpose of the excavation or dredging?  i. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  • Volume (specify tons or cubic yards):  • Over what duration of time?  ii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  iv. Will there be onsite dewatering or processing of excavated materials?  If yes, describe.  If yes, describe.  What is the total area to be dredged or excavated?	a. Does the propos	sed action include a	ny excavation, mir	ning, or dredging, du	ring construction, operations, or both	Yes <b>√</b> No
i. What is the purpose of the excavation or dredging?  i. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  • Volume (specify tons or cubic yards):  • Over what duration of time?  ii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  iv. Will there be onsite dewatering or processing of excavated materials?  If yes, describe.  If yes, describe.	materials will re	generai site prepara emain onsite)	tion, grading or ins	stallation of utilities of	or foundations where all excavated	
i. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  • Volume (specify tons or cubic yards):  • Over what duration of time?  ii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  iv. Will there be onsite dewatering or processing of excavated materials?  If yes, describe.  ———————————————————————————————————	If Yes:	•				
Volume (specify tons or cubic yards):     Over what duration of time?     Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  iv. Will there be onsite dewatering or processing of excavated materials?  If yes, describe.  □ Yes ☑ No  What is the total area to be dredged or excavated?	i. What is the pur	pose of the excavat	ion or dredging?			
ii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  iv. Will there be onsite dewatering or processing of excavated materials?  If yes, describe.  V. What is the total area to be dredged or excavated?	ii. How much mate	erial (including roc	k, earth, sediments	, etc.) is proposed to	be removed from the site?	-07
ii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  iv. Will there be onsite dewatering or processing of excavated materials?  If yes, describe.  V. What is the total area to be dredged or excavated?	• Over wha	specify tons or cub	ic yards):			
iv. Will there be onsite dewatering or processing of excavated materials?  If yes, describe	iii. Describe nature	and characteristics	of materials to be	excavated or dredge	ed and rilans to use manage or dispos	e of them
If yes, describe		W.			and plans to use, manage or dispos	e or mem.
v. What is the total area to be dredged or excavated?	iv. Will there be o	onsite dewatering or	r processing of exc	avated materials?		Yes No
v. What is the total area to be dredged or excavated?	If yes, describe	e				
i. What is the maximum area to be worked at any one time?	v. What is the total	al area to be dredge	d or excavated?		2000	
SCIECE	vi. What is the ma	ximum area to be w	Orked at anv one t	ime?	acrec	
n. What would be the maximum depth of excavation or dredging?	ni. what would be	the maximum dept	th of excavation or	dredging?	feet	
m. will the excavation require blasting?	iii. wiii the excav	ation require blasting	ng'?			□Yes√No
:. Summarize site reclamation goals and plan:	x. Summarize site	reclamation goals a	ind plan:			
	-					
	******					
Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment  ☐ Yes ☑ No	. Would the propo	sed action cause or	result in alteration	of, increase or decre	ease in size of, or encroachment	∏Yes \(\sqrt{No}\)
into any existing wetland, waterbody, shoreline, beach or adjacent area?	into any existing f Yes:	g wetland, waterboo	ly, shoreline, beach	n or adjacent area?	-	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic		land or waterhody	which would be of	fected (by name	ter index number southers to	
description):	description):		ou would be al	recicu (by hame, wa	iei muex number, wetiand map numb	er or geographic
						<u> </u>

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square for N/A	
iii. Will proposed action cause or result in disturbance to bottom sediments?  If Yes, describe:	☐ Yes <b>Z</b> No
iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  If Yes:	☐ Yes  No
acres of aquatic vegetation proposed to be removed:	
a connected corrected of acquetic proportation remaining offer project completions	
purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):	
• proposed method of plant removal:	
if chemical/herbicide treatment will be used, specify product(s):  v. Describe any proposed reclamation/mitigation following disturbance:	
v. Describe any proposed reclamation minigation following distarbance.	
c. Will the proposed action use, or create a new demand for water?	☐Yes <b>Z</b> No
If Yes:	
<ul> <li>i. Total anticipated water usage/demand per day:</li> <li>ii. Will the proposed action obtain water from an existing public water supply?</li> </ul> If Yes:	<b>Z</b> Yes □No
Name of district or service area: City of Plattsburgh Municipal	
Does the existing public water supply have capacity to serve the proposal?	✓ Yes No
Is the project site in the existing district?	✓ Yes No
Is expansion of the district needed?	☐ Yes ☑ No
Do existing lines serve the project site?	✓ Yes No
iii. Will line extension within an existing district be necessary to supply the project?  If Yes:	□Yes <b>Z</b> No
Describe extensions or capacity expansions proposed to serve this project:  N/A	
Source(s) of supply for the district:	
iv. Is a new water supply district or service area proposed to be formed to serve the project site?  If, Yes:	☐ Yes ☑No
Applicant/sponsor for new district:	
Date application submitted or anticipated:	
Proposed source(s) of supply for new district:	
v. If a public water supply will not be used, describe plans to provide water supply for the project:	-
vi. If water supply will be from wells (public or private), maximum pumping capacity: gallons/minute.	
d. Will the proposed action generate liquid wastes?  If Yes:	☐ Yes <b>Z</b> No
i. Total anticipated liquid waste generation per day: gallons/day	
ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all com	
approximate volumes or proportions of each):	
iii. Will the proposed action use any existing public wastewater treatment facilities?  If Yes:	☑Yes ☐No
<ul> <li>Name of wastewater treatment plant to be used: <u>City of Plattsburgh</u></li> <li>Name of district: City of Plattsburgh</li> </ul>	
Does the existing wastewater treatment plant have capacity to serve the project?	<b>Z</b> Yes □No
<ul> <li>Is the project site in the existing district?</li> </ul>	✓ Yes ☐No
Is expansion of the district needed?	☐Yes <b>Z</b> No

8	Do existing sewer lines serve the project site?	<b>☑</b> Yes <b>□</b> No
	Will line extension within an existing district be necessary to serve the project?	☐Yes <b>☑</b> No
	If Yes:	
	Describe extensions or capacity expansions proposed to serve this project:	
. V		
Iv. v	Will a new wastewater (sewage) treatment district be formed to serve the project site?  If Yes:	□Yes <b>☑</b> No
	Applicant/sponsor for new district:	
	<ul> <li>Date application submitted or anticipated:</li> </ul>	
	<ul> <li>What is the receiving water for the wastewater discharge?</li> </ul>	
v. If	f public facilities will not be used, describe plans to provide wastewater treatment for the project, including spec receiving water (name and classification if surface discharge, or describe subsurface disposal plans):	ifying proposed
vi. D	Describe any plans or designs to capture, recycle or reuse liquid waste:	
. W		
e. w	'ill the proposed action disturb more than one acre and create stormwater runoff, either from new point purces (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point	☐Yes ☑No
SO	ource (i.e. sheet flow) during construction or post construction?	
If Ye		
	Now much impervious surface will the project create in relation to total size of project parcel?	
	Square feet or acres (impervious surface)	
	Square feet or acres (parcel size)	
ii. D	Describe types of new point sources.	
Potential Control		
III. W	Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent p. groundwater, on-site surface water or off-site surface waters)?	roperties,
	groundwater, on-site surface water or off-site surface waters;	
2 <del>-</del>		
•	If to surface waters, identify receiving water bodies or wetlands:	
	Will stormwater runoff flow to adjacent properties?	Yes No
	oes proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?	☐Yes <b>☑</b> No
f. Do	bes the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel mbustion, waste incineration, or other processes or operations?	□Yes ☑No
	s, identify:	
i. M	Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)	
ii. Si	tationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)	F)
iii. St	tationary sources during operations (e.g., process emissions, large boilers, electric generation)	
z. Wi	Il any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit,	☐Yes ☑No
or I	Federal Clean Air Act Title IV or Title V Permit?	T 1 62 W 140
f Yes		
	the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet	□Yes☑No
am	bient air quality standards for all or some parts of the year)	<u> </u>
i. In a	addition to emissions as calculated in the application, the project will generate:	
•	Tons/year (short tons) of Carbon Dioxide (CO <sub>2</sub> )	
•	Tons/year (short tons) of Nitrous Oxide (N <sub>2</sub> O)	
•	Tons/year (short tons) of Perfluorocarbons (PFCs)	
•	Tons/year (short tons) of Sulfur Hexafluoride (SF <sub>6</sub> )	
•	Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)	
•	Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?	□Yes☑No
If Yes:	
<ul> <li>i. Estimate methane generation in tons/year (metric):</li> <li>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generation):</li> </ul>	
electricity, flaring):	nerate heat or
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?	☐Yes \\ \big  No
If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):	
, , , , , , , , , , , , , , , , , , , ,	
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial	Yes No
new demand for transportation facilities or services?  If Yes:	
i. When is the peak traffic expected (Check all that apply):	
iii Parking spaces: Existing Parking spaces: E	
iii. Parking spaces: Existing Proposed Net increase/decrease iv. Does the proposed action include any shared use parking?	
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing ac	Yes No
vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?	☐Yes ☐No
	☐Yes ☐ No
wiii Will the proposed action include plans for much at the state of t	
pedestrian or bicycle routes?	∐Yes∏No
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand	Yes No
for energy?  If Yes:	
i. Estimate annual electricity demand during operation of the proposed action:	
ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/loc	al utility, or
other):	
ii. Will the proposed action require a new, or an upgrade to, an existing substation?	YesNo
. Hours of operation. Answer all items which apply.  i. During Construction:  ii. During Operations:	
- Zamig operations,	
<ul> <li>Monday - Friday: 8 a.m. 5 p.m.</li> <li>Saturday: Saturday: Saturday:</li> </ul>	
• Sunday:	
Holidays:      Holidays:	

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  If yes:	☐ Yes ☑ No
i. Provide details including sources, time of day and duration:	
<ul> <li>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?</li> <li>Describe:</li></ul>	□ Yes <b>☑</b> No
n Will the proposed action have outdoor lighting?	
If yes:	☐Yes <b>☑</b> No
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Describe:	□Yes <b>☑</b> No
a. Does the proposed action have the material land.	
<ul> <li>Does the proposed action have the potential to produce odors for more than one hour per day?</li> <li>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</li> </ul>	☐ Yes ☑ No t
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons)	□Yes <b>☑</b> No
or chemical products 185 gallons in above ground storage or any amount in underground storage?  If Yes:	L tes WILL
i. Product(s) to be stored	80
ii. Volume(s) per unit time (e.g. month year)	
iii. Generally describe proposed storage facilities:	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides,	☐ Yes ☑ No
insecticides) during construction or operation?  If Yes:	□ 1 03 M 140
i. Describe proposed treatment(s):	
Bosonoe proposed deadnem(s).	0. <del>4</del> 0
ii. Will the proposed action use Integrated Pest Management Practices?	
. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal	Yes No
of solid waste (excluding hazardous materials)?  f Yes:	∐ Yes <b>∠</b> INo
i. Describe any solid waste(s) to be generated during construction or operation of the facility:	
• Construction: tons per (unit of time)	
Operation:	
Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste     Construction:	<b>e:</b>
• Operation:	
i. Proposed disposal methods/facilities for solid waste generated on-site:	
• Construction:	
Operation:	

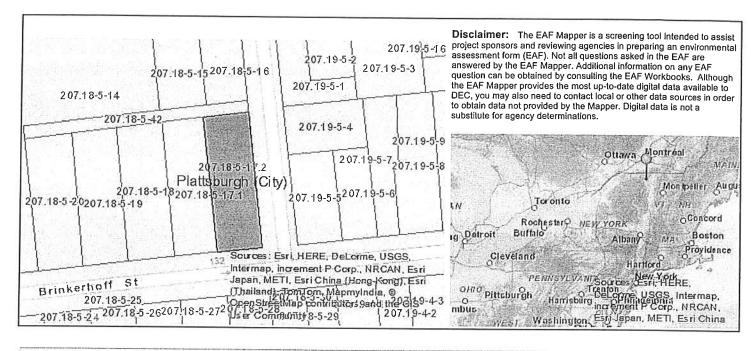
s. Does the proposed action include construction or modification of a solid waste management facility?			☐ Yes ☑ No	
If Yes:  i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or				
other disposal activities):				
ii. Anticipated rate of disposal/processing:  Tons/month, if transfer or other non-co	mbustian/tharmal treatme	aut ou		
Tons/hour, if combustion or thermal tree	eatment	ent, or		
	years			
t. Will proposed action at the site involve the commercial g		age or disposal of hazardous	DV as DINI-	
waste?	generation, treatment, Stor	age, or disposal of hazardous	□Yes☑No	
If Yes:				
i. Name(s) of all hazardous wastes or constituents to be g	generated, handled or man	aged at facility:		
ii. Generally describe processes or activities involving haz	zardova vyostos on constitu	· outo		
si. Constany desertor processes of activities involving has	zardous wastes or constitu	ients:		
iii. Specify amount to be handled or generatedton	s/month			
iv. Describe any proposals for on-site minimization, recyc	cling or reuse of hazardous	s constituents:		
ν. Will any hazardous wastes be disposed at an existing o	effeite hazardaus wasta fac		☐Yes <b>Z</b> No	
If Yes: provide name and location of facility:	misite mazardous waste rat	sinty?	☐ Y es MINO	
If No: describe proposed management of any hazardous wa	stes which will not be ser	nt to a hazardous waste facility	<b>/</b> ;	
-				
E. Site and Setting of Proposed Action		9		
E.1. Land uses on and surrounding the project site				
a. Existing land uses.		311		
i. Check all uses that occur on, adjoining and near the pr	oject site.			
☐ Urban ☐ Industrial ☐ Commercial ☐ Residen	itial (suburban) 🔲 Kur	al (non-farm)		
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify):			<u></u>	
Located in City Center, primarily residential, prior commercial use as dentist practice.				
b. Land uses and covertypes on the project site.				
Land use or	<u> </u>			
Covertype	Current Acreage	Acreage After	Change	
Roads, buildings, and other paved or impervious	Acreage	Project Completion	(Acres +/-)	
surfaces	69x42 parking lot	69x42 parking lot	0	
Forested	10.00			
Meadows, grasslands or brushlands (non-				
agricultural, including abandoned agricultural)				
Agricultural				
(includes active orchards, field, greenhouse etc.)				
Surface water features				
		1		
(lakes, ponds, streams, rivers, etc.)				
(lakes, ponds, streams, rivers, etc.)  • Wetlands (freshwater or tidal)				
<ul> <li>Wetlands (freshwater or tidal)</li> <li>Non-vegetated (bare rock, earth or fill)</li> </ul>				
Wetlands (freshwater or tidal)				

c. Is the project site presently used by members of the community for public recreation?  i. If Yes: explain:	□Yes☑No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  If Yes,	<b>Z</b> Yes□No
i. Identify Facilities: SUNY Plattsburgh,	
e. Does the project site contain an existing dam?  If Yes:	□Yes☑No
i. Dimensions of the dam and impoundment:	
• Dam height: feet	
• Dam length: feet	
• Surface area: acres	
Volume impounded: gallons OR acre-feet  ## Dam's evicting begand electrical	
ii. Dam's existing hazard classification: iii. Provide date and summarize results of last inspection:	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility Yes:	☐Yes <b>☑</b> No ility?
i. Has the facility been formally closed?	☐Yes☐ No
If yes, cite sources/documentation:	
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:	
	736-
iii. Describe any development constraints due to the prior solid waste activities:	
	□Yes☑No
iii. Describe any development constraints due to the prior solid waste activities:  g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? f Yes:	□Yes☑No
iii. Describe any development constraints due to the prior solid waste activities:  g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? f Yes:	□Yes☑No
iii. Describe any development constraints due to the prior solid waste activities:  g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes:  i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes:  i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:	☐Yes☑No red: ☐Yes☑No ☐Yes☑No
iii. Describe any development constraints due to the prior solid waste activities:  g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? f Yes:  i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? f Yes:  i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes – Spills Incidents database  Provide DEC ID number(s):	☐Yes☑No red: ☐Yes☑No ☐Yes☑No
iii. Describe any development constraints due to the prior solid waste activities:  g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes:  i. Describe waste(s) handled and waste management activities, including approximate time when activities occurs.  Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  f Yes:  i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:	☐Yes☑No red: ☐Yes☑No ☐Yes☑No
iii. Describe any development constraints due to the prior solid waste activities:  g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? f Yes:  i. Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when activities occur  Describe waste(s) handled and waste management activities, including approximate time when ac	☐Yes☑No red: ☐Yes☑No ☐Yes☑No
iii. Describe any development constraints due to the prior solid waste activities:  g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? f Yes:  i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? f Yes:  i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes - Spills Incidents database  Provide DEC ID number(s):  Neither database	☐Yes☑No red: ☐Yes☑No ☐Yes☑No

	□Yes□No	
If yes, DEC site ID number:     Describe the type of institutional control (e.g., deed restriction or easement):		
Describe the type of institutional control (e.g., deed restriction or easement):     Describe any use limitations:		
Describe any engineering controls:	_	
Will the project affect the institutional or engineering controls in place?	☐ Yes ☐ No	
Explain:		
E.2. Natural Resources On or Near Project Site		
a. What is the average depth to bedrock on the project site? feet		
b. Are there bedrock outcroppings on the project site?	☐ Yes ☑ No	
If Yes, what proportion of the site is comprised of bedrock outcroppings?%		
c. Predominant soil type(s) present on project site:	%	
	%	
	_%	
d. What is the average depth to the water table on the project site? Average: feet		
e. Drainage status of project site soils: Well Drained: 100 % of site		
Moderately Well Drained: % of site		
Poorly Drained% of site		
f. Approximate proportion of proposed action site with slopes: 🔟 0-10%:% of site		
10-15%:% of site		
15% or greater:% of site		
g. Are there any unique geologic features on the project site?  If Yes, describe:	☐ Yes <b>☑</b> No	
If ites, describe.		
h. Surface water features.		
	<b>—</b>	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers,	□Yes☑No	
ponds or lakes)?		
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?	□Yes <b>☑</b> No □Yes <b>☑</b> No	
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal,	∐Yes <b>☑</b> No	
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?		
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ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  iv. For each identified regulated wetland and waterbody on the project site, provide the following information:  • Streams: Name Classification	□Yes☑No □Yes☑No	
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  iv. For each identified regulated wetland and waterbody on the project site, provide the following information:  Streams:  Name  Classification  Classification	□Yes☑No □Yes☑No	
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ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  iv. For each identified regulated wetland and waterbody on the project site, provide the following information:  • Streams: Name	□Yes☑No □Yes☑No □Yes☑No	
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  iv. For each identified regulated wetland and waterbody on the project site, provide the following information:  • Streams: Name	☐Yes ☑No ☐Yes ☑No ☐Yes ☑No ☐Yes ☑No	
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  iv. For each identified regulated wetland and waterbody on the project site, provide the following information:  Streams: Name Classification  Lakes or Ponds: Name Classification  Wetlands: Name Approximate Size  Wetland No. (if regulated by DEC)  v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  If yes, name of impaired water body/bodies and basis for listing as impaired:  i. Is the project site in a designated Floodway?  j. Is the project site in the 100 year Floodplain?	☐Yes ☑No ☐Yes ☑No ☐Yes ☑No ☐Yes ☑No ☐Yes ☑No ☐Yes ☑No	
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  iv. For each identified regulated wetland and waterbody on the project site, provide the following information:  Streams: Name	☐Yes☑No ☐Yes☑No ☐Yes☑No ☐Yes☑No ☐Yes☑No ☐Yes☑No ☐Yes☑No	
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  iv. For each identified regulated wetland and waterbody on the project site, provide the following information:  Streams: Name	☐Yes ☑No ☐Yes ☑No ☐Yes ☑No ☐Yes ☑No ☐Yes ☑No ☐Yes ☑No	
ponds or lakes)?  ii. Do any wetlands or other waterbodies adjoin the project site?  If Yes to either i or ii, continue. If No, skip to E.2.i.  iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  iv. For each identified regulated wetland and waterbody on the project site, provide the following information:  Streams: Name	☐Yes☑No ☐Yes☑No ☐Yes☑No ☐Yes☑No ☐Yes☑No ☐Yes☑No ☐Yes☑No	

m. Identify the predominant wildlife species that occupy or use the project site:	
n. Does the project site contain a designated significant natural community?  If Yes:  i. Describe the habitat/community (composition, function, and basis for designation):	□Yes☑No
iii. Source(s) of description or evaluation:  iii. Extent of community/habitat:  • Currently:  • Following completion of project as proposed:  • Gain or loss (indicate + or -):  o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species.	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?	∐Yes√No
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  If yes, give a brief description of how the proposed action may affect that use:	□Yes☑No
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? If Yes, provide county plus district name/number:	□Yes <b>☑</b> No
b. Are agricultural lands consisting of highly productive soils present?  i. If Yes: acreage(s) on project site?  ii. Source(s) of soil rating(s):	□Yes□No
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  If Yes:  i. Nature of the natural landmark:	□Yes <b>☑</b> No
I. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  f Yes:  i. CEA name:  ii. Basis for designation:  iii. Designating agency and date:	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?  If Yes:  i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District  ii. Name: Court Street Historic District  iii. Brief description of attributes on which listing is based:  Turn of century fascade and architecture.	☑ Yes No
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<b>Z</b> Yes □No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?  If Yes:  i. Describe possible resource(s):  ii. Basis for identification:	□Yes <b>☑</b> No
h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  If Yes:  i. Identify resource:  ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or	☐Yes ☑No
etc.):miles.	scenic byway,
<ul> <li>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?</li> <li>If Yes:</li> <li>i. Identify the name of the river and its designation:</li> </ul>	☐ Yes ☑ No
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	∐Yes ∏No
F. Additional Information Attach any additional information which may be needed to clarify your project.  If you have identified any adverse impacts which could be associated with your proposal, please describe those in measures which you propose to avoid or minimize them.	npacts plus any
G. Verification I certify that the information provided is true to the best of my knowledge.  Applicant/Sponsor Name Date Date Date Signature Signature Title Atty for applicant	



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.I. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No

E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Court Street Historic District
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



May 22, 2015

Via Hand-Delivery City of Plattsburgh Zoning Board Plattsbrugh NY, 12901

Class B Variance

Re: 134 Brinkerhoff Street

Dear Respected Members of the Board:

Please be advised that our office has been retained to represent Dr. Michael Boulé regarding the enclosed Area Variance Application. In sum, the Area Variance requests a ten percent (10%) variance in parking spaces for the subject property located at 134 Brinkerhoff St. and in conjunction with a Use Variance Application. In light of this proposal, this office respectfully submits the information below together with the Use Variance and attachments thereto. Further, please find enclosed a check made payable to the City Clerk in the amount of \$150. In addition to this submission, a comprehensive digital file is maintained by this office and additional or supplemental information in support of the enclosed proposal can be provided upon request.

In evaluating any Area Variance, the "practical difficulty standard" is applied to determine if the owner is subject to "significant economic injury." In conjunction with the Use Variance request submitted simultaneously, it is submitted that without an Area Variance, Dr. Michael Boule will suffer "significant economic injury."

To begin the analysis, the purchase price of the subject property was \$265,000 with a current market value of \$265,000. The projected value of the premises after the Area Variance is granted will likely be a slight increase in market value if taken together with the proposed Use Variance. Further, the quantitative financial portion is skewed because the parking lot is non-conforming and serviced a busy dental practice and four (4) rental but only provides a total of seven (7) parking spots. For the residential purposes alone, the parking lot by code requires eight (8) parking spaces, assuming one parking spot was dedicated to the dental practice, the residential portion alone would be non-conforming by 25%. The request herein,

EDWARD J. O'CONNELL 1925-1939 SAMUEL E. ARONOWITZ 1925-1973 LEWIS A. ARONOWITZ 1951-1979

CORNELIUS D. MURRAY FRED B. WANDER STEPHEN R. COFFEY JEFFREY J. SHERRIN WILLIAM A. FAVREAU THOMAS J. DINOVO NANCY SCIOCCHETTI PAMELA A. NICHOLS JEFFREY A. SIEGEL DONALD W. BIGGS JAMI DURANTE ROGOWSKI HEIDI DENNIS DAVID R. ROSS KURT E. BRATTEN MICHAEL P. MCDERMOTT KELLY J. MIKULLITZ WILLIAM F. BERGLUND ROBERT J. KOSHGARIAN

OF COUNSEL

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RICHARD S. HARROW
MEREDITH H. SAVITT
F. MATTHEW JACKSON
PAUL A. FEIGENBAUM
GEORGE R. SLINGERLAND

DAVID E. NARDOLILLO
MICHAEL D. KOGUT
JOHN A. MUSACCHIO
JESSICA M. ZWICKLBAUER
CRISTINA D. COMMISSO
SCOTT W. ISEMAN
BRITTNAY M. MCMAHON
DANIELLE E. HOLLEY
BENJAMIN S. BARRY
CAITLIN J. MONJEAU

RESPOND TO:

206 WEST BAY PLAZA
PLATTSBURGH, NY 12901-1786
TEL: (518) 562-0600
FAX: (518) 562-0657

1 COURT STREET
SARATOGA SPRINGS, NY 12866-4301
TEL: (518) 584-5205

together with the Use Variance, is proposing that the parking lot remain non-conforming but with a reduction in overall variance from 25% to 10%.

Should the respected Board approve the Area Variance, the parking lots located on the subject property would be able to service nine (9) of ten (10) required spots or in other words be 90% compliant instead of the current 75% compliant.

In light of the foregoing, the petitioner respectfully requests that the Board grant this application in concert with the Use Variance as proposed.

Respectfully,

Benjamin S. Barry, Esq.

O'Connell and Aronowitz, P.C.

Attorneys for Applicant Michael Boule

206 West Bay Plaza

Plattsburgh NY 12901



## Plattsburgh, New York

Zoning Board of Appeals City Hall Plattsburgh, New York 12901

		518-563-7707
USE CLASS A VARIANCE	AREA CLASS B VARIANCE	SUP
Date: 0/3/15	Appeal No.:	2040
An application is hereby made of Plattsburgh Zoning Ordin herein described.	e to the Zoning Board of App nance for a variance to al	eals pursuant to the Citylow the property use as
Applicant:	Dr. Michael Boule, D.D.S.	•
Applicants Address:	240 Jabez Allen Road	
	Peru, New York 12972	
Telephone Number:	(518) 563-3090	8
Parcel Identification	207.18-5-17.2	••••
Location of request:	134 Brinkerhoff Street	
Property Owner:	Dr. Michael Boule, D.D.S.	
Request Description:	10% Parking Variance	
Zoning District:	Residential Historical (F	Х <b>Н</b> )
Section Appealed:		
Previous Appeal: No.	N/A Date:	
Identify applicants the	right to apply for variance	<b>::</b>
Ownership: X Long t	erm lease: Contract to	purchase:
Other (Please explain):		
Applications for zoning varian	ces must be accompanied by:	
11 copies of existing and prop 11 copies of existing and prop	osed site plan. Osed floor plan	
The ZBA may impose reasonable and use variances provided the proposed use of the property. Stand intent of the zoning law, any adverse impact such variance of the control of the control of the zoning law, any adverse impact such variance of the zoning law, any adverse impact such variance of the zoning law, any adverse impact such variance of the zoning law, and t	ey are directly related to Such conditions shall be con and shall be imposed for the	and incidental to the sistent with the spirit

NOTARY PURITY TABITHA L. TROMBLEY Notary Public, State of New York No. 01PE6093755 Residing in the County of Clinton
My Commission Expires 6-9-9-9

### Appendix C

#### State Environmental Quality Review

#### SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by App	licant or Project sponsory
1. APPLICANT ISPONSOR Dr. Michael J. Boule	2. PROJECT NAME 134 Brinkerhoff Street
3. PROJECT LOCATION:	
Municipality City of Plattsburgh	county Clinton
4. PRECISE LOCATION (Street address and road intersections, prominent i	andmarks, etc., or provide map)
134 Brinkerhoff Street	
200	§
	F 185
5. IS PROPOSED ACTION:  New Expansion Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	<del></del>
Area Mariance for parking let deficie	nov. (109)
Area Variance for parking lot deficie	alcy (108)
et (1992)	
7. AMOUNT OF LAND AFFECTED:	9
Initially acres Ultimately	acres
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER TYPES AND IT NO, describe briefly	R EXISTING LAND USE RESTRICTIONS?
See Above; Area Variance for parking	deficiency (10%)
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?  **Enesidential	culture Park/Forest/Open space Other
8	
	8
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OF	THE TIMATELY EDOM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL
STATE OR LOCAL)?	•
Yes You if yes, list agency(s) and permittapprovals	
	S
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PE	RMIT OR APPROVAL?
Yes No If yes, list agency name and permit/approval	*
E 165 E 140 II 765, Int agency name and permitterprotein	8 a
City of Plattsburgh - Demolition Pen	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROV	VAL REQUIRE MODIFICATION?
I CERTIFY THAT THE INFORMATION PROVIDED AB	DOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
wishes I T Decile	. Date: 6/9/15
Applicant/sponsor name: Michael J. Boule	Date: 0/9/13
9 2	1) 25 802 82
Signature:	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

#### PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 517.4	17 If yes, coordinate the review process and use the FULL EAF.
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLIST may be superseded by another involved agency.	TED ACTIONS IN 6 NYCAR, PART 617.6? If No, a negative declaration
Yes No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH TO C1. Existing air quality, surface or groundwater quality or quantity, not potential for erosion, drainage or flooding problems? Explain briefly:	THE FOLLOWING: (Answers may be handwritten, if legible) se levels, existing traffic patterns, solid waste production or disposal,
**	1
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cul	tural resources; or community or neighborhood character? Explain briefly:
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habi	itats, or threatened or endangered species? Explain briefly:
9 8	
C. A company the suitable plant of coals are discipled adopted are change	in use of intensity of use of land or other natural resources? Explain briefly.
C4. A community's existing plans or goals as officially adopted, or a change	in use of intensity of use of falls of other factors.
24	
C5. Growth, subsequent development, or related activities likely to be indu	iced by the proposed action? Explain briefly.
C6. Long term, short term, cumulative, or other effects not identified in C1	I-C5? Explain briefly.
· * * *	
C7. Other Impacts (including changes in use of either quantity or type of e	nergy)? Explain briefly.
7	*
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERS OF NO	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTE	ENTIAL ADVERSE ENVIRONMENȚAL IMPACTS?
☐ Yes ☐ No If Yes, explain briefly	£4
¥	
	and hu A copyoid
ART III—DETERMINATION OF SIGNIFICANCE (To be complet	
INSTRUCTIONS: For each adverse effect identified above, determin Each effect should be assessed in connection with its (a) setting irreversibility; (e) geographic scope; and (f) magnitude. If necessary explanations contain sufficient detail to show that all relevant adquestion D of Part II was checked yes, the determination and significon the environmental characteristics of the CEA.	(i.e. urban or rural); (b) probability of occurring; (c) duration; (d) add attachments or reference supporting materials. Ensure that yerse impacts have been identified and adequately addressed. If
occur. Then proceed directly to the FULL EAF and/or p	entially large or significant adverse impacts which MAY prepare a positive declaration.
Check this hav if you have determined based on th	e information and analysis above and any supporting esult in any significant adverse environmental impacts
. Name of Lead	Agency
Table of Lead	9
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)
Date	

